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Wills

Their of Own

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Wills

Of their Own

CURIOUS

ECCENTRIC AND BENEVOLENT

COLLATED AND ARRANGED

By WILLIAM TEGG

EDITOR OF "THE MIXTURE FOR LOW SPIRITS," "LACONICS," "HONE'S THREE TRIALS," ETC.

LONDON

WILLIAM TEGG & CO., PANCRAS LANE

CHEAPSIDE

1876

PREFACE.

In this little Volume I have placed before my readers a number of very curious *Wills* and *Bequests*—some very singular, and others very benevolent in their nature; but Time, which alters all things, does not pass over Wills. The purposes for which Bequests are made, alter with time and circumstance—in fact, many Bequests outlive the object for which they are intended; for instance, we hear of one man leaving money to redeem "Christian Slaves from African captivity;" another, to "promote bull-baiting;" and another leaving so much "for whipping dogs out of church." Some one oddly remarked, "That man's a fool who writes a letter, but he's a greater who destroys one." This might be applied in another way, "He is a fool who makes his *own* Will, but he a greater who does not make one

at all." Lord St. Leonards, a great authority on this subject, writes :—

> "I am somewhat unwilling to give you any instructions for making your Will without the assistance of your professional adviser; and I would particularly warn you against the use of printed forms, which have misled many men. They are as dangerous as the country school-master or the vestry clerk. *It is quite shocking to reflect upon the litigation which has been occasioned by men making their own Wills, or employing incompetent persons to do so.*"

The late distressing case of his own Will not being found after his decease, shows very clearly the necessity of some place where Wills could be deposited with security and safety. There is such a depository at the Principal Registry of the Court of Probate, Somerset House,* provided by the Court of Probate Act, 1857, 20 and 21 Victoria, cap. 77, sec. 91, which enacts as follows :—

> "One or more safe and convenient depository, or depositories, shall be provided under the control and directions of the Court of Probate for all such Wills of living persons as shall be deposited therein for safe custody; and all persons may deposit their Wills in such depository upon payment of such fees, and under such regulations as the Judge shall, from time to time, by any order direct."

Instructions for Depositors of Wills can be obtained at the Principal and other Registries of this Court, but the rules of the Court require the personal attendance of the Testator, or affidavit by the person actually making the deposit, together with the payment of a small

* The Principal Registry was at "Doctors' Commons, Knightrider Street," previous to its removal for City improvements.

fee, and, when once deposited, a Will cannot be reclaimed until the Testator's death. These conditions, which have to be complied with, prevent the public generally from availing themselves of the benefit intended to be conferred by the above section of the Court of Probate Act.

Most persons, rather than take this trouble, hand their Wills over to their family Solicitors, or keep them in their own custody at home. The latter plan is unquestionably bad, for Wills have been lost, forged,* and tampered with.

The loss of a Will often entails misery and distress, and it behoves all to secure to their families that provision (however small) which Providence has enabled them to afford.

The following mode of executing Wills in earlier times may not be out of place to mention here :—

> Roman Wills were sealed by seals applied after the deeds had been pierced, and the linen envelope passed three times through the holes—a method established in the time of Nero against forgers, and adopted in Germany and Gaul, where it remained in vogue till the Middle Ages. Outside the Will were written the names of those who had affixed their seals. Upon the first page, or left-hand tablet, were written the names of the principal heirs; and upon the second, or right-hand tablet, the names of the legatees. To this Horace alludes. Cicero shows how

* Mary Cooper, Amelia Jenkins, William Hannah, and Isaac Hutchinson, were indicted for feloniously forging and uttering, well knowing the same to be forged, a certain Will, purporting to be the last Will and Testament of one Emma Adolphus, with intent to defraud, and after a long trial were found guilty, and sentenced to seven years' transportation.—*See the Old Bailey Trials, Sept. 23rd*, 1875.

easy of detection were the Roman testamentary tablets. Greek Wills were signed and sealed in the presence of the magistrate. Anglo-Saxon Wills were written on three copies, each to match, like a tally, and after being read over in the presence of various persons, were severally consigned to separate custodies. This custom continued till the 15th and 16th centuries; for then Lord Maurice Berkeley, before he went abroad, left three several Wills in the custody of three several friends, lest any one should be lost.

Du Cange mentions Wills written on wood or bark; the latter in 699. Church chests were the depositories of Wills. From the Norman Conquest they had been generally written in Latin; but in the reign of Edward III. the English was used. Wills were made so far back as the reign of Henry I. (Says another writer), in 1100, there was no law, however, to make them binding.

Wills to devise lands were first established *by law* in the reign of Henry VIII., and universally so, as to all real and moveable property, at the Restoration.

The first Will of a sovereign of England on record, is that of Richard II., in 1399. There is but little doubt that Wills originated with the Egyptians, although not used in Europe till ages after.

Although the present Work exhibits a strange compound of various thoughts not free from traces of self-glorification, yet they are the expression of good intentions, and, as such, should receive respect, in accordance with the adage, "*De mortuis nil nisi bonum.*"

WILLIAM TEGG.

PANCRAS LANE,
1876.

CURIOUS WILLS.

TO CUT ONE OFF WITH A SHILLING.

THE rule which exists in some countries, that a Will is "inofficious" and void if the testator's heir is entirely excluded, never formed part of the law of England, and an English testator dealing with *his own* property, could always cut off his heir even without a shilling. The popular belief to the contrary had, however, some countenance from a rule which, till very recently, existed with respect to Wills (or other instruments) made in exercise of any power or authority to appoint any property, real or personal, amongst several objects. Unless the instrument conferring the power authorized an exclusive appointment, as by the use of the words "to or amongst such one or more, exclusive of the other or others," &c., or by some equivalent expression, it was necessary to the validity of an appointment that some part should be given to every one of the objects. No one could be entirely excluded from participation. Yet according to the doctrine of the Courts of Common Law, any share, however nominal or illusory, would be sufficient. The appointment of a shilling a-piece

to every one but the favourite was enough to support the appointment to the favourite of the residue, however large. The Courts of Equity, however, had a different doctrine, and held that a *substantial* share must be given to each, and that no one could be "cut off with a shilling." This latter doctrine gave rise to frequent litigation as to what was to be considered a *substantial* share. At length the Legislature interposed, and, by Act 1 Will. IV., ch. 46, restored the common law rule by enacting that no such appointment thereafter made "shall be invalid or impeached in equity, on the ground that an unsubstantial, illusory, or nominal share only shall be thereby appointed or left to devolve upon any one or more of the objects of such power." After this Act, therefore, the person exercising such a power could, in equity as in law, "cut off with a shilling" (I use the common expression, but a farthing was as good as a shilling for the purpose) any one or more of the objects of the power. But he could not absolutely exclude any one; something, however small, must be appointed to each. Thus the law remained till 30th July, 1874, when it was, by 37 and 38 Vict., ch. 37, enacted that no such appointment thereafter made "shall be invalid at law or in equity on the ground that any object of such power has been altogether excluded." Now, therefore, all but the favourite may be "cut off without a shilling."—*Notes and Queries.*

ANTIQUITY OF WILLS.

Testamentary arrangements of property were made in the earliest ages, and appear to be referred to by Moses, who states that Jacob gave (bequeathed) to

Joseph a portion above his brethren (B.C. 1689—Genesis xlviii. 22). Solon is said to have introduced Wills into Greece (B.C. 594) and they were first regulated at Rome by the laws of the Twelve Tables (B.C. 450).

ROYAL WILLS.

Lands were devisable by Will in this country before the Conquest; and the privilege of making Wills was specially sanctioned by Henry I. in 1100. Richard II. made a Will in 1399, which is regarded as the first royal Will on record, though it is asserted that similar documents were prepared by previous sovereigns.

GIVING THEIR HEARTS AWAY.

ROBERT, the famous Earl of Mellent and Leicester, one of the early crusaders in the Holy Land, died in 1118, in the abbey of Preaux, where his body was buried; but his heart, by his own order, was conveyed to the hospital at Brackley, to be there preserved in salt. Isabella, daughter of William E. Marshall, Earl of Pembroke, who died at Berkhampstead in 1239, ordered her heart to be sent in a silver cup to her brother, then Abbot of Tewkesbury, to be there buried before the high altar. The heart of John Baliol, Lord of Barnard Castle, who died in 1269, was, by his widow's desire, enclosed in an ivory casket, richly enamelled with silver. There are many bequests of hearts on record besides the above.

WILLIAM DE BEAUCHAMP'S WILL.

WILLIAM DE BEAUCHAMP,* dated at Wauberge, upon the morrow after the Epiphany,† anno 1268, 53 Henry III. My body to be buried in the Church of the Friars-Minors at Worcester. I Will that a horse, completely harnessed with all military caparisons, precede my corpse; to a priest to sing mass daily in my Chapel without the City of Worcester, near unto that house of Friars which I gave for the health of my soul, and for the souls of Isabel my wife, Isabel de Mortimer, and all the faithful deceased, all my rent of the fee of Richard Bruli, in Wiche and Winchester, with supply of what should be too short out of my own proper goods; to Walter, my son, signed with the cross, for a pilgrimage to the Holy Land on my behalf and of Isabel, his mother, two hundred marks; to Joane, my daughter, a canopy, some time belonging to St. Wolstan, and a book of Lancelot, which I have lent them; to Isabel, my daughter, a silver cup; to Sibill, my daughter, all the money due to me from my son William, towards her marriage, and XL marks more, with the land which I bought in Britlamton, to enjoy it until she be married, and no longer; to Sarah, my daughter, one hundred marks for her marriage; to William, my eldest son, the cup and horns of St. Hugh; to my daughter the Countess, his wife, a ring with a ruby in it; to Sir Roger de Mortimer and Sir Bartholomew de Suley a ring each;

* He was father of the first Earl of Warwick, and died before the year 1269, having married Isabel de Mauduit, sister and heiress of William Mauduit, Earl of Warwick, from whom his son derived that earldom. Dugdale properly points out that it appears from his father's Will, he assumed the title of Earl of Warwick *during the lifetime of his mother*, his right to do so being considered very doubtful.

† January 7th.

to the Friars-Minors of Worcester forty shillings; to the Friars-Minors of Gloucester one mark; to the Friars-Carmelites there one mark; to the Hospital of St. Wolstan at Worcester one mark; to the Hospital of St. Oswald there ten shillings; to the Canons of Doddeford one mark; to the Church and Nuns of Cokehill x marks; to Isabel, my wife, ten marks; to the Church and Nuns of Westwood one mark; to the Church and Nuns without Worcester one mark; to every Anchorite in Worcester, and the parts adjacent four shillings; to the Church of Salewarp, a house and garden near the parsonage, to find a lamp to burn continually therein to the honor of God, the Blessed Virgin, St. Katherine, and Saint Margaret; and I appoint my eldest son William Earl of Warwick, Sir Roger Mortimer, Sir Bartholomew de Sudley, and the Abbots of Evesham and of Great Malverne, my executors.

WILLIAM DE BEAUCHAMP, EARL OF WARWICK'S WILL.

WILLIAM DE BEAUCHAMP,* Earl of Warwick, dated Holy Rood Day,† 1296, 25 Edward I.‡ being in perfect health. My body to be buried in the quire of the Friars-Minors, commonly called the Gray-friars at Worcester, if I die within the compass of the four English Seas; otherwise, then in the house of the Friars-Minors nearest to the place in which I may happen to die, and my heart to be buried wheresoever the Countess, my dear consort, may herself resolve to be interred; to the place where I may be buried two great horses, viz. those

* Son and heir of the preceding. He died either in May or June, 1298.

† September 14th.

‡ Sic in Dugdale, but September 14th, 1296, is the 24th of Edward the First.

to the which shall carry my armour at my funeral, for the solemnizing of which I bequeath two hundred pounds; to the maintenance of two soldiers in the Holy Land, one hundred pounds; to Maud, my wife, all my silver vessels, *with the cross, wherein is contained part of the wood of the very cross whereon our Saviour died;* likewise the vestments of my Chapel, to make use of during her life; but afterwards the best suit to belong to Guy,* my eldest son; the second best to my Chapel of Hanslape; and the third best to my Chapel at Hanley; to Guy, my son, a gold ring with a ruby in it, together with my blessing; to my said wife a cup, which the Bishop of Worcester gave me; and all my other cups, with my lesser sort of jewels and rings, to distribute for the health of my soul, where she may think best; to my two daughters, nuns at Shouldham, fifty marks.†

GUY DE BEAUCHAMP, EARL OF WARWICK'S WILL.

GUY DE BEAUCHAMP, Earl of Warwick,‡ dated at Warwick Castle, Monday next after the Feast of St. James the Apostle, 1315. My body to be buried in the Abbey of Bordsley, without any funeral pomp; to Alice, my wife, a proportion of plate, with a crystal cup and half my bedding, and also all the vestments and books belonging to my Chapel; the other half of my beds, rings, and jewels, I bequeath to my two daughters; to Maud, my daughter, a crystal cup; to Elizabeth, my daughter, the marriage of Astley's heir; to Thomas, my

* This Guy, Dugdale conjectures, was so named in memory of the famous Guy, Earl of Warwick, renowned for his valour in the time of the Saxons.

† Dugdale, vol. i. p. 229.

‡ This Guy, Earl of Warwick, whose celebrated exploits it is needless to describe here, died at Warwick Castle on the 28th of August, 1316.

son, my best coat of mail, helmet, and suit of harness, with all that belongs thereto; to John, my son, my second coat of mail, helmet, and harness; and I Will that all the rest of my armour, bows, and other warlike implements, shall remain in Warwick Castle for my heir.

SIR ROBERT LAUNDE, *alias* ATTE LAUNDE, KNT.'S, WILL.

SIR ROBERT LAUNDE, alias ATTE LAUNDE, KNT., Citizen of London, on our Lady's Eve, 1367. My body to be buried in the quire of St. Mary's, of the Charterhouse in London; to Christian, my wife; to Ada Launde, my mother; to Robert Watfield, late my servant, 6*l.*; to Rose Pomfret, my sister, of Berdfield, CXL*l.*; to Richard, her son, and William, her brother; to Margaret Biernes, their sister; to Margaret, her sister, married to Aksted; to Agnes, my niece, at Hallewell; to the high altar of Hempsted, in Essex; to the poor there, by gift of Robert Watfield; to Joane Launde, of Cambridgeshire; to my noble Lady the Countess of Norfolk; to John Southcot, to find him at school; to the building of the cross in Cheapside; and I appoint Sir John Philpot, Knt., overseer of this my Will.

JOAN LADY COBHAM'S WILL.

JOAN DE COBHAM, of Starburghe.* August 13, 1369. My body to be buried in the church-yard of St. Mary Overhere, in Southwark, before the church door, where the image of the blessed Virgin sitteth on high over that

* Widow of Reginald Lord Cobham, who died 35 Edward III., and daughter of Sir Thomas de Berkeley; she died October 2nd, 1369.

door; and I Will that a plain marble stone be laid over my body, and thereon these words:

Vous qui per ici passicts, pur l'alme Joane de Cobham pricts.

I Will that VII thousand masses be said for my soul by the Canons of Tunbrugge and Tanfugge, and the four Orders of Friars in London, viz., the Friars-Preachers, Minors, Augustines, and Carmelites, who for so doing shall have XXIX*l.* IIIS. IV*d.* Also I Will that on my funeral day twelve poor persons, clothed in black gowns and hoods, shall carry twelve torches; I bequeath to the Church of Lyngefeld a frontore with the arms of Berkeley and Cobham standing on white and purple; to Reginald, my son, a ring with a diamond; to Sir Henry Grey and Dame Joan, his wife, and to that Joane my daughter; to Joane, daughter to that Joane. I Will that my house in Southwark be sold to pay my Lord's debts,* and to found prayers in the parish church of Langele-Borell for the souls of Sir John de la Mare, Knt., some time lord there, Sir Reginald Cobham, Sir Thomas Berkeley, and for the souls of my benefactors. If Reginald, my son, or any other of my heirs, shall appropriate that church for the maintenance of two priests to celebrate divine service there for ever, as it was intended and conditioned by the said Sir John de la Mare when he sold that lordship of Langele, with that of Lye, to my husband, in the presence of the Lord Berkeley, my father, then I Will that my Executors shall enfeoffe the said Reginald, or his heirs, in my

* Dugdale; but it will be seen, that according to the extract in that work, her house in Southwark was, in a certain contingency, to be enfeoffed to her son, which is not noticed in the abstract in the manuscript just cited.

water-mill at Edulme Bridge, and in my house at Southwark, for ever; to Sir John Cobham; to John de Cobham, of Devonshire.

SIR WALTER MANNEY, KNT'S, WILL.

SIR WALTER, LORD OF MANNEY, Knight,* London, St. Andrew's Day, 1371. My body to be buried at God's pleasure, but if it may be in the midst of the Quire of the Carthusians, called Our Lady, near West Smithfield, in the suburbs of London, of my foundation, but without any great pomp; and I Will that my Executors cause twenty masses to be said for my soul, and that every poor person coming to my funeral shall have a penny, to pray for me and the remission of my sins; to Mary, my sister a nun, x pounds; to my two bastard daughters, nuns, viz. to Mailosel and Malplesant, the one cc franks, the other c franks; to Cishbert, my cousin; to Margaret Mareschall, my dear wife, my plate which I bought of Robert Francis; also a girdle of gold, and a hook for a mantle, and likewise a garter of gold, with all my girdles and knives, all my beds and dossers in my wardrobe, excepting my folding bed, paly of blue and red, which I bequeath to my daughter of Pembroke; and I Will also that my said wife have all the goods which I purchased of Lord Segrave and the Countess Marshal. Also I Will that a tomb of alabaster, with my image as a knight, and my arms thereon, shall be made for me, like unto that of Sir John Beauchamp in Paul's, in London. I Will that prayers be said for me, and for Alice de Henalt,

* He was a Knight of the Garter, and having been summoned to Parliament from the 21st to the 44th of Edward III., died on Thursday next after the Feast of St. Hilary, i.e. 20th January, 46 Edward III.

Countess Marshal. And whereas the King oweth me an old debt of a thousand pounds, by bills of his wardrobe, I Will that, if it can be obtained, it shall be given to the Prior and Monks of the Charter-house. And whereas there is due to me from the Prince, from the time he had been Prince of Wales, the sum of C marks per annum, for my salary as Governor of Hardelagh Castle, I bequeath one half thereof to the said Prior and Monks of the Charter-house before mentioned, and the other half to the executors of my Will. To my wife, and my daughter Pembroke, fifteen M florins of gold, and five "vesseux estutes ph," which Duke Albert oweth me by obligation; to Sir Guy Bryan, Knt., my best chains, whom I also appoint my Executor.

EDWARD PRINCE OF WALES'S WILL.

In the name, &c. We, EDWARD, eldest son of the King of England and France, Prince of Wales, Duke of Cornwall, and Earl of Chester, the 7th June, 1376, in our apartment in the Palace of our Lord and Father the King at Westminster, being of good and sound memory, &c. We bequeath to the altar of Our Lady's chapel at Canterbury two basons with our arms, and a large gilt chalice enamelled with the arms of Warren. To our son Richard* the bed which the King our father gave us. To Sir Roger de Clarendon a silk bed. To Sir Robert de Walsham, our Confessor, a large bed of red camora, with our arms embroidered at each corner; also embroidered with the arms of Hereford. To Mons. Alayne Cheyne our bed of camora powdered with blue

* Edward, the celebrated Black Prince, eldest son of King Edward the Third, born 1330, died June 8, 1376; thus his Will was dated the day before his death.

eagles. And we bequeath all our goods and chattels, jewels, &c., for the payment of our funeral and debts; after which we Will that our executors pay certain legacies to our poor servants. All annuities which we have given to our Knights, Esquires, and other our followers, in reward for their services, we desire to be fully paid. And we charge our son Richard, on our blessing, that he fulfil our bequests to them. And we appoint our very dear and beloved brother of Spain, Duke of Lancaster; the Reverend Fathers in God William Bishop of Winchester, John Bishop of Bath; William Bishop of St. Asaph; our Confessor, Sir Robert de Walsham; Hugh de Segrave, Steward of our Lands; Aleyn Stokes; and John Fordham, our executors. In testimony of which we have put to this our last Will our privy seal, &c.

Published by John Ormeshevedi, Clerk, in the year 1376, in the presence of John Bishop of Hereford, Domini Lewis Clifford, Nicholas Bonde, and Nicholas de Scharnesford, Knights, and William de Walsham, Clerk; and of many other Knights, Clerks, and Esquires. Proved 4 idus June, 1376.

ALICE LADY WYNDSORE'S WILL.

ALICE, widow of WILLIAM WYNDSORE, Knight,* at Upmynster, on the Assumption of the Virgin Mary,

* The celebrated Alice Perrers, whom many writers have assigned as a mistress to Edward III.; her extraordinary beauty caused her to be made Lady of the Sun in 48 Edward III. when she rode from the Tower of London in a procession through Cheapside, accompanied by many Lords, Knights, and Ladies, until she came to West Smithfield, where solemn justs were held for seven days. A very interesting account of this personage, who has attracted the notice of every historian of the reign of Edward III. from her supposed connection with that monarch, and the influence she is said to have had on his councils, will be found in Louth's Life of Wickham, and in Godwin's Life of Chaucer, vol. iii. p. 76, et seq.; she afterwards married William Lord Windsor.

August 15th, 1400, 1 Henry IV. My body to be buried in the parish Church of Upmynster on the north side before the altar of our Lady the Virgin; to the said Church one of my best oxen for a mortuary; for wax to burn about my body forty shillings; for ornaments to the said Church ten marks; for repairing the highways near the town forty shillings; I Will that ten marks be distributed to the poor on the day of my sepulture; to the Chaplain six marks; to John Pelham, Sacrist of that Church, three shillings and four pence; to Joane, my younger daughter, my manor of Gaynes, in Upmynster; to Jane and Joane, my daughters, all my other manors and advowsons which John Wyndsore, or others, have, by his consent, usurped, the which I desire my heirs and executors to recover and see them parted between my daughters, for that I say, on the pain of my soul, he hath no right there nor never had; my manor of Compton Murdac; to the poor of Upminster xx shillings. And I appoint Joane, my youngest daughter; John Kent, Mercer of London, my Executors; and Sir John Cusson, Knight, and Robert de Litton, Esquire, Overseers of this my Will.

JOANE LADY HUNGERFORD'S WILL.

Joane Lady Hungerford,* February 1, 1411. My body to be buried in the Chapel of St. Anne, in the Parish Church of Farleigh, Hungerford, next to the grave of my husband. I Will that, with all possible speed after my decease, my executors cause three thousand masses to be said for my soul, and for the souls of all the faithful deceased. Also I desire on my burial day

* Daughter and coheir of Sir Edmund Hussie, Knt., and widow of Sir Thomas Hungerford, Knt.; she died March 1st, 1412. Dugdale.

that twelve torches and two tapers burn about my body, and that twelve poor women, holding the said torches, be cloathed in russet, with linen hoods, and having stockings and shoes suitable. I Will that ten pounds be bestowed to buy black cloth for the cloathing of my sons and daughters, as likewise for the sons and daughters of all my domestic servants. I Will that the two hundred marks now in the hands of my son, Sir Walter Hungerford, be given to found a perpetual chantry of one chaplain, to celebrate divine service in the Chapel of St. Anne, in the north part of the said Church of Farleigh, for the health of my soul, and the soul of my husband, and for the souls of all our ancestors for ever; to Katherine, the wife of my said son Walter, my black mantle furred with minever, and to Thomas his son a green bed, embroidered with one greyhound.*

A BEAM AND BELL.

REGINALD atte PETTE, of Stockbury, 12th January, 1456. Item, I bequeath toward the making of a new beam in the Church of Stockbury, XIIIs. IIIId.; towards a new bell called trebyll VIs. VIIId.; towards the work of the new isle in the aforesaid Church IV marcs; and towards the making of a new window there XXs. Witnesses, John Petytt, Nich. Cowstede, Adomar at Pette, Thomas atte Pette, Peter atte Pette, Christopher, Clerk of the Parish there, Vicar of Stockbury.

TO INDUCE PEOPLE TO PRAY.

MASTER ROBERT TOSTE, Provost of the Collegiate Church of Wingham, 17th August, 1457. My body to

* Dugdale's Abstract, vol. ii. p. 204.

be buried on the uppermost step, on the north part of the high altar, where the Gospel is read in the choir on holidays in Wingham. I Will that a marble stone be laid over me, with an inscription, to induce people to pray for my soul. I bequeath part of my books to the new College of All Souls, founded by Archbishop Chicheley, part to University College, and part to the University Library of Oxford.

MY BEST CART AND HORSES.

RICHARD BERNE, of Canterbury, 28th April, 1461. My body to be buried in the aisle before the cross, in the south part of St. Paul's, at Canterbury. To the rebuilding of the bell tower of the monastery of St. Augustine IX*l.* to be paid as soon as the said work shall be begun; to the prisoners of the Castle of Canterbury and of Westgate VI*s.* VIII*d.* each; to the Prioress of the Church of St. Sepulchre, towards the works of her Church, XIII*s.* IV*d.*; to the repair of the highway leading towards Sandwich, by St. Martin's Hill and the Fish-poole, X*l.*; towards the repair of the highway in the Winecheape, between Bircholle's Place and St. James's Hospital, X*l.*; to Joan, my wife, my furniture and my best cart, and my five horses fit to draw it, with all their harness; to the building of the new bell tower of Tenterden VI*s.* VIII*d.*; Richard my son.

BARTHOLOMEW KINGSTON, ESQ.

The following Will is exceedingly curious, from its being engraved on a tombstone in the Church of Rothley, in the county of Leicester, and is extracted

from Nichols's History of that county, vol. iii., part ii., p. 960* :—

This ys the wyll of
Bartholmey Kyngsto' Esquyer.,
to have an obet keppyd onys ev'y pere for me and Ely,
my wyff, my fad^r. and my mod^r, on ye Monday next
after Symo'd day and Jude; ye which obet to
be kept wth ye p'feth off ye lande and mode yt I boght
of Wyll'm Adcoke, wth ii acars off medo in Quer'd'n
medo; ye first I wyll ye vecar have for derige iiii^d.
and to be offerd at masse be ye handys of the
fefferss xvii^d.; and to the sayde vecar
for ye beydroll viii^d.; and to viii clarkis for redy'g
of viii lessons xviii^d. and a po'nd of wax to be brent at
hie derge and messe, and aftyr yt to be sett afore
ye sepulker, in time of pace, and aftyr yt tone sete to
bren afor ye crucifix, and ye todyr afore ye image of our
Lady, and for ye wast of iiii torches xvi^d.; and to
iiii pore me' to hold the torchys iiiid.; and
ye resedw of ye p'fetts of ye sayd land and medo
to be disposed in meytte and drinke among pore men.
Ye yere of our Lorde
a thousand CCCCLXXXVI.

* The subjoined description of the tomb is taken from that work, in which there is also an engraving of it. "In the North Chapel, adjoining to the north wall, is a very large altar-tomb about three feet high, with the effigies of a man in armour with long strait hair, head on cushion, sword and dagger, and large spur-rowels; a greyhound at his feet looking back. His lady, who sits on a cushion, has a veil head-dress and a cordon; at her feet a dog looking up, and lifting up his fore paw. Over their heads the arms of Kingston, and the inscription, which on the tomb is reversed."

THE WILL OF THOMAS WINDSOR, ESQ.,

Which was dated in 1479.

Item. I Will that I have brennying (*burning*) at my burying and funeral service four tapers and twenty-two torches of wax, every taper to contain the weight of ten pounds and every torch sixteen pounds, which I Will that twenty-four very poor men and well disposed shall hold, as well at the time of my burying as at my *monethe's minde* (month's remembrance).

Item. I Will that after my *monethe's minde* done, the said four tapers be delivered to the churchwardens, &c.

And that there be 100 children within the age of 16 years, to be at my *monethe's minde* to say for my soul * * * * that against my *monethe's minde* the candles bren (*burn*) before the rude in the Parish Church.

Also that at my *monethe's minde* my executors provide 20 priests to sing *plucebo dirige*, &c.

NOTE.—There were in that age *weeks' mindes*, *months' mindes*, and *years' mindes*, or memorial services for the dead, *minde* being synonymous with remembrance.

VERY ACCOMMODATING.

"ARLOTTO, the Parson," who is described as an Italian priest of infinite jest and most excellent fancy, who died in 1483, left amongst his testamentary documents a wish that the following words should be placed upon his tomb:—"This sepulchre was made by the parson Arlotto, for himself and for any other man who may desire to enter therein." These words remained upon his tomb until they were obliterated by time.

TO PROMOTE BROTHERLY LOVE, ETC.

London, St. Clement's, Eastcheap.

ROBERT HALLIDAY, by his will, dated 6th May, 1491,

gave estates in the parish of St. Leonard, Eastcheap, the rents to be applied to various purposes, and, amongst others, 5s. to the churchwardens yearly, either to make an entertainment among such persons of the said parish of St. Clement, who should be at variance with each other, in the week preceding Easter, to induce such persons to better neighbourhood, and to beget brotherly love amongst them; or if none should be found in the said parish, then to make an entertainment with the said 5s. at the tavern amongst the honest parishioners of the said parish on the day of our Lord's Supper, commonly called Shere Thursday, that they may pray more fervently for the souls of certain persons named in his Will.

SIR THOMAS BRYAN, KNT.'S, WILL.

THOMAS BRYAN, Knight,* though unworthy Chief Justice, 7th February, 1495. My body to be buried in the religious house of Ashruge, if I die within twenty miles, in which case I bequeath to the Rector and Brothers for my burial xx*l.*; if I die more than twenty miles from Ashruge, then I desire that my body be buried where my executors shall think fit; if Thomas Bryan, my son and heir, and Margaret, his wife, survive me, I bequeath all my lands to them and to the heirs of their bodies; remainder to Elizabeth my daughter, and the heirs of her body; remainder to my own right heirs; to the high altar of St. Andrew's, Holborn, for tithes forgotten, and specially in the

*He was appointed Chief Justice of the Common Pleas 29th May, 1472, in which office he was succeeded by Sir Thomas Wood 28th October, 1501; though from the date of the probate of Sir Thomas Bryan's Will it is evident that he died about November 1500.

times of Masters Northington and Greene; to the high altar of the parish Church of Masseworth, for tithes forgotten in the times of William and Thomas Paulyvere; to the high altar of St. Sepulchre's, London, for tithes forgotten in the times of Masters Dalton, Welles, and Browne; I Will that bread and drink be given to the prisoners in Newgate, the Fleet, Ludgate, King's Bench, and Marshalsea; to Elizabeth, my daughter, twelve silver spoons, which I received as part of my legacy of Lady Otteley, and *xl.* for her relief; Joan, my bastard daughter, late wife of Thomas Clement; Anne Dilcock, daughter of the said Elizabeth; I Will that my executors fulfil the Will of Lady Katherine Otteley, late wife of Bartholomew Seman, of London, as far as c marks; Margaret and Anne, daughter of my son Thomas; to my son Thomas and Margaret his wife, MCCCC marks, to fulfil the engagements entered into between me and the Earl of Surrey and Lady Elizabeth his wife on the marriage of my said son Thomas with Margaret his now wife; and I constitute my son Thomas and Margaret his wife my executors. Witnessed by Master Richard Baker, Clerk; Thomas Betonsar, Chaplain; Christopher Michell, Chaplain; Henry Herde, Ironmonger; Robert Serle, Brewer, &c.

"Thoma, Thoma, fili mi Thoma, rogo et requiro te ut filiali dilectione diligas animam meam, et tu mihi predilecta Margareta uxor ejus rogo tu illam adjuva Valete."* Proved 11th December 1500†.

JOHN WILCOCKS'S WILL.

JOHN WILCOCKS, of Chipping Wycombe, 5th July, 1506. My body to be buried in the Church of All

* This exhortation, from its great curiosity, is given in the original words.

† Harl. MSS. 380, f. 76.

Hallondon on Wye, before the rood. To the repair of our Lady's Chapel of my grant XXIIIs. IVd.; I Will that my executors pay the charge of new glazing the window in the said Chapel; also I Will that an obit be kept yearly; I Will that my executors buy a marble stone to lay on my grave, with the picture of my two wives of VII foot in length, the stone mentioning her sons Thomas and Michael Wilcocks. I appoint Walter, my son, my executor, and also Robert Ashebrooke and Robert Brampton, priest, and John Aley, my executors.

A RICH ALDERMAN.

SIR WILLIAM CAPEL, Knight, Alderman of London,* bequeaths as follows:—"To my wife Margaret, my son Sir Giles Capel, and his sons Henry and Edward Capel; my daughters, wife of Sir John Zouch, and Elizabeth, wife of William Paulett, my manors of Hadham and Walkern, in the county of Herts, Bacons in Essex, Beames in Wiltshire, Kingswold and Claversham in Hampshire, Norton in Kent, South Wotton, Godesston, and Massingham in Norfolk, and Stoneham Aspall, in Suffolk. Proved 17th March, 1515."

COW CHARITY.

Woodchurch, Cheshire.

JAMES GOODAKER, of Barnston, in this parish, in 1525, left twenty marks to buy twenty yoke of bullocks, which were subsequently replaced by cows, and given to the

* Ancestor of the Earl of Essex. This eminent merchant is celebrated for his resistance of the extortions of Empson and Dudley, in consequence of which he was imprisoned in the Tower, where he continued until the accession of Henry VIII. He was knighted 17th December, 1485, and represented the City of London in Parliament in the 7th Henry VII., and again in 1512 and 1514, and died September 6th, 1515.

poor of Woodchurch: every parishoner that had a cow or cows paying yearly for each to the overseers the sum of 2s. 8d. every Friday before Whitsunday, which hire was to be a stock for the benefit of the poor for ever.

The parish of Woodchurch includes ten townships, from each of which a trustee of the cow property is elected, whose duty it is to see that the animals are properly taken care of, and those persons are termed governors of the cows. There is an annual meeting, on which occasion the cows are produced and examined.

FISH FOR THE POOR IN LENT.

Clavering, Essex.

JOHN THAKE, by Will, dated 13th June, 1537, gave to Robert Cockerell and his heirs his house and lands called Valence, upon condition that they should for ever, yearly, on Friday, the first week in Lent, give to poor people of Clavering one barrel of white herrings and a cade of red herrings, (a cade is about half a barrel,) always to be given by the oversight of the churchwardens and the tenants and occupiers of the lordship and parsonage of Clavering.

The owner of the farm called Valence, regularly sends to the house of the parish clerk, in Lent, a barrel of red herrings and a barrel of white, which are distributed in the church by the parish clerk and sexton, four to each married couple, two to each widow and widower, and one to each child.

BEQUEST OF WHITE PEAS.

Sawston, Cambridgeshire.

JOHN HUNTINGDON, by Will, dated 4th August, 1554, devised lands and tenements to Joice his wife, and his

heirs, upon condition that his heirs should yearly for ever sow two acres of land, lying together in Linton field, with white peas, one combe to be yearly bestowed upon each acre, for the relief of the people of Sawston.

Two acres, the property of Richard Huddlestone, Esq., the lord of the several manors in the parish, are annually sowed with white peas, as directed by the Will, which are gathered green on a day fixed by the occupier of the land, by all the poor indiscriminately, when a complete scene of scramble and confusion ensues, attended with occasional conflicts.

MILK TRIBUTE.

Alresford, Middlesex.

EDMUND PORTER, by Will, dated 27th May, 1558, directed that John Porter should have a house called Knapps, with the appurtenances, church fences, and caprons, (which comprised thirty-one acres of land,) to him and his heirs, upon condition that they should give for ever the morning milk of two able milk beasts to the poor people of this parish, every Sunday yearly, from Whitsunday to Michaelmas, 3s. 4d. on Good Friday, and a like sum on Christmas day.

This milk tribute has subsequently been commuted for a money payment, which is distributed in bread amongst the poor.

CUTTINGS OF FISH.

London, Fishmongers' Company.

ROBERT HARDING, by Will, dated 20th November, 1568, gave to the Company of Fishmongers an annuity of £3 6s. 8d., issuing out of his lands and tenements in Pudding Lane; and Simon Harding, his son, by deed,

7th September 1576, confirmed the same; to hold the said annuity to the wardens and commonalty and their successors, to the intent that they should pay in the Lent season £3, that is, in New Fish Street 30s. and in Old Fish Street 30s., to the use of the poor inhabiters and artificers compelled by necessity to repair thither, to buy the cuttings of fish and the refuse of fish; the residue to remain to the wardens for their labours in this behalf.

There being no poor persons of the description mentioned in the deed, the annuity has been added to the fund distributed to the half-yearly poor at Christmas.

HALFPENNY BREAD CHARITY.

Godmanchester, Huntingdonshire.

ROBERT GRAINGER, by his Will, dated 10th October, 1578, gave and appointed as much bread as could be made of a coomb of wheat, to be made into halfpenny loaves, and to be distributed among the poor of Godmanchester by the churchwardens, to be charged on his mansion house in Godmanchester.

The present owner of the house pays the value of four bushels of wheat, according to the average price of wheat at Huntingdon market, on the Saturday before Good Friday, to a baker, for supplying the bread, which is distributed on Good Friday.

BREAD, BEER, BEEF, AND BROTH.

St. Giles's, Norwich.

JOHN BALLISTON, by Will, dated 17th October, 1584, devised three tenements in St. Giles's next the Gates to certain persons, upon condition that they should make distribution to the poor in manner following, viz., that in

the week before Christmas, the week before Michaelmas, and the week after Easter, in the church of St. Giles, the minister should request the poor people, all that should receive or have need of alms, to come to church, and request them to pray for the preservation of the Prince, &c.; that the poor should place themselves four and four together, all that should be above the age of eleven years, and that every four of them should have set before them a twopenny wheat loaf, a gallon of best beer, and four pounds of beef and broth; that the minister should have fourpence for his pains on each of the three days.

The rent of £2 a year is paid to the parish for the premises, which, with other charities, is laid out in the purchase of coals.

WINE.

Gloucester.

GREGORY WILTSHIRE, by Will, dated 8th September, 1585, gave to the chamber of the city of Gloucester for ever £100, to the intent, that, within one month after the receipt of the same, it should be delivered, by the appointment of the mayor and aldermen, with the consent of the overseers of his Will, unto five clothiers of the same city; that is to say, unto every of them £20 a-piece for ten years together, putting in good assurance for the same, giving nothing for the use thereof, but only yearly every one of them a gallon of wine during the whole ten years, at the new mayor's banquet on the day of his election, of which three gallons should be presented to the mayor, and two gallons to the four stewards, then elected; provided always, that after the end of ten years it should be delivered to five other clothiers of the same city, by the consents and conditions aforesaid, and so be employed for ever.

It appeared by the city accounts, under the head of charity money, and from inferences arising thereon, that all had been lost except £20 lent to one Evans; but, as low down as 1793, this charity was thus commemorated:—

"Mr. Wiltshire's gift of £100, to be lent to five tradesmen for five years, they paying a gallon of wine yearly, now in hand."

It was urged by the corporation, that the phrase "now in hand" was meant to be applied only to the £20 lent to Evans, and repaid by him; and it certainly seems as if the statement last adverted to was copied from former lists into the book by the city accountant.

BLUECOAT BOYS AND PACKETS OF RAISINS.

In accordance with the Will of PETER SYMONDS, dated 1586, sixty of the younger boys of Christ's Hospital, London, attend divine service at the Church of All-hallows, Lombard-street, on Good Friday, and are presented each with a new penny, a bun, and a packet of raisins.

TRAVELLERS' REST.

Coleshill, Warwickshire.

GEORGE BUTLER, by Will, dated September 2nd, 1591, gave his house at the lower end of the town of Coleshill, called the almshouse, also a house and lands in Gilson, to the uses following, viz., that the rents thereof should be employed to keep the said almshouse in repair, and buy furniture when wanting; that the feoffees, or constables, with their consent, might lodge any poor travellers that should desire it in the said almshouse; that none should be suffered to lodge there more than one night, except

great cause shown; that care be taken women and men lodge not near together; that some persons be permitted to dwell there rent free, to wash the house and furniture, and to take care of the poor lodgers; that the overplus of the rent be employed to some charitable use.

DONATIONS OF WHEAT.

Assington, Suffolk.

JOHN WINTERFLOOD, by Will, dated 2nd April, 1593, gave to the poor of Assington four bushels of meslin, payable out of the manor of Aveley Hall, to be distributed in bread at Christmas; and four bushels of meslen out of the rectory or priory of Assington, to be distributed in bread at Easter; and under this donation four bushels of wheat are brought to Assington Church, and distributed among the poor at Christmas; and the like quantity of wheat at Easter, by or on behalf of John Gurdon, Esq., as owner of the manor and farm of Aveley Hall, and the rectorial tithes of Assington.

OSTENTATION.

Braughing, Hertfordshire.

MATTHEW WALL, by Will, in 1595, charged all his lands and tenements in the parish of Braughing with the yearly payment of twenty shillings, to be distributed by the minister and churchwardens on St. Matthew's Day, in the following manner:—

To the sexton, to make up his grave yearly, and to ring the bell, 1s. 10d. To twenty boys, between the age of six and sixteen, twenty groats. To ten aged and impotent people of the parish, ten three-pences. To sweep the path from his house to the church-gate every

year, 1s. To the crier of Stortford, to make proclamation yearly, on Ascension and Michaelmas Day, that he left his estate to a Matthew, or William Wall, as long as the world should endure, 8d. To the parish clerk at Hallingbury for the same, 8d., and to the minister and churchwardens, to see his Will performed, 5s.

DROPPING SIXPENCES ON A TOMBSTONE.

On Good Friday, in the Churchyard of St. Bartholomew the Great, Smithfield, after divine service, one of the clergymen drops twenty-one sixpences on a tombstone, to be picked up by as many poor people, widows having the preference. The Will providing for this is lost, and the distribution is now made out of the parish funds. The bequest is said to date several hundreds of years back.

POOR MAIMED SOLDIERS.

Goldsmiths' Company, London.

PHILIP SHELLEY, by Will, 6th September, 1603, gave certain lands in Ulkerthorpe, in the county of Derby, to the Company of Goldsmiths, in trust (amongst other matters), to pay £10 per annum for ever towards the relief of poor maimed soldiers, which sum is paid generally to ten pensioners of Chelsea Hospital.

SHAKESPERE'S WILL.

"*Vicesimo quinto die Martii, Anno Regni Domini nostri Jacobi nunc Regis Angliæ, &c. decimo quarto, et Scotiæ quadragesimo nono. Anno Domini* 1616.

"In the name of God, Amen. I, William Shakespere, of Stratford-upon-Avon, in the county of Warwick,

gent., in perfect health and memory, (God be praised!) do make and ordain this my last Will and testament in manner and form following; that is to say:

"*First*, I commend my soul into the hands of God my creator, hoping, and assuredly believing, through the only merits of Jesus Christ my Saviour, to be made partaker of life everlasting; and my body to the earth whereof it is made.

"*Item*, I give and bequeath unto my daughter Judith one hundred and fifty pounds of lawful English money, to be paid unto her in manner and form following; that is to say, one hundred pounds in discharge of her marriage portion within one year after my decease, with consideration after the rate of two shillings in the pound for so long time as the same shall be unpaid unto her after my decease; and the fifty pounds residue thereof, upon her surrendering of, or giving of such sufficient security as the overseers of this my Will shall like of, to surrender or grant, all her estate and right that shall descend or come unto her after my decease, or that she now hath, of, in, or to, one copyhold tenement, with the appurtenances, lying and being in Stratford-upon-Avon aforesaid, in the said county of Warwick, being parcel or holden of the manor of Rowington, unto my daughter Susanna Hall, and her heirs for ever.

"*Item*, I give and bequeath unto my said daughter Judith one hundred and fifty pounds more, if she, or any issue of her body, be living at the end of three years next ensuing the day of the date of this my Will, during which time my executors to pay her consideration from my decease according to the rate aforesaid: and if she die within the said term without issue of her body, then my Will is, and I do give and bequeath one hundred pounds thereof to my neice Elizabeth Hall, and the fifty

pounds to be set forth by my executors during the life of my sister Joan Hart, and the use and profit thereof coming, shall be paid to my said sister Joan, and after her decease the said fifty pounds shall remain amongst the children of my said sister, equally to be divided amongst them; but if my said daughter Judith be living at the end of the said three years, or any issue of her body, then my Will is, and so I devise and bequeath, the said hundred and fifty pounds to be set out by my executors and overseers for the best benefit of her and her issue, and the stock not to be paid unto her so long as she shall be married and covert baron; but my Will is, that she shall have the consideration yearly paid unto her during her life, and after her decease the said stock and consideration to be paid to her children, if she have any, and if not, to her executors or assigns, she living the said term after my decease: provided that if such husband as she shall at the end of the said three years be married unto, or at any [time] after, do sufficiently assure unto her, and the issue of her body, lands answerable to the portion by this my will given unto her, and to be adjudged so by my executors and overseers, then my Will is, that the said hundred and fifty pounds shall be paid to such husband as shall make such assurance, to his own use.

"*Item*, I give and bequeath unto my said sister Joan twenty pounds, and all my wearing apparel, to be paid and delivered within one year after my decease; and I do Will and devise unto her the house, with the appurtenances, in Stratford, wherein she dwelleth, for her natural life, under the yearly rent of twelve-pence.

"*Item*, I give and bequeath unto her three sons, William Hart, —— Hart, and Michael Hart, five pounds a-piece, to be paid within one year after my decease.

"*Item*, I give and bequeath unto the said Elizabeth Hall all my plate (except my broad silver and gilt bowl) that I now have at the date of this my Will.

"*Item*, I give and bequeath unto the poor of Stratford aforesaid ten pounds; to Mr. Thomas Combe my sword; to Thomas Russel, esq., five pounds; and to Francis Collins of the borough of Warwick, in the county of Warwick, gent., thirteen pounds six shillings and eight-pence, to be paid within one year after my decease.

"*Item*, I give and bequeath to Hamlet [*Hamnct*] Sadler twenty-six shillings eight-pence, to buy him a ring; to William Reynolds, gent., twenty-six shillings eight-pence, to buy him a ring; to my godson Willliam Walker, twenty shillings in gold; to Anthony Nash, gent., twenty-six shillings eight-pence; and to Mr. John Nash, twenty-six shillings eight-pence; and to my fellows, John Hemynge, Richard Burbage, and Henry Cundell, twenty-six shillings eight-pence a-piece, to buy them rings.

"*Item*, I give, Will, bequeath, and devise, unto my daughter Susanna Hall, for better enabling of her to perform this my Will, and towards the performance thereof, all that capital messuage or tenement, with the appurtenances, in Stratford aforesaid, called the New Place, wherein I now dwell, and two messuages or tenements, with the appurtenances, situate, lying, and being in Henley Street, within the borough of Stratford aforesaid; and all my barns, stables, orchards, gardens, lands, tenements and hereditaments whatsoever, situate, lying, and being, or to be had, received, perceived, or taken, within the towns, hamlets, villages, fields, and grounds of Stratford-upon-Avon, Old Stratford, Bishopton. and Welcombe, or in any of them, in the said county of Warwick; and also all that messuage or tenement, with

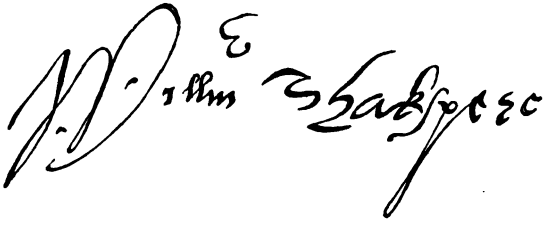
the appurtenances, wherein one John Robinson dwelleth, situate, lying, and being, in the Blackfriars in London, near the Wardrobe; and all other my lands, tenements, and hereditaments whatsoever; to have and to hold all and singular the said premises, with their appurtenances, unto the said Susanna Hall, for and during the term of her natural life; and after her decease to the first son of her body lawfully issuing, and to the heirs males of the body of the said first son lawfully issuing; and for default of such issue, to the second son of her body lawfully issuing, and to the heirs males of the body of the said second son lawfully issuing; and for default of such heirs, to the third son of the body of the said Susanna lawfully issuing, and to the heirs males of the body of the said third son lawfully issuing; and for default of such issue, the same so to be and remain to the fourth, fifth, sixth, and seventh sons of her body, lawfully issuing one after another, and to the heirs males of the bodies of the said fourth, fifth, sixth, and seventh sons lawfully issuing, in such manner as it is before limited to be and remain to the first, second, and third sons of her body, and to their heirs males: and for default of such issue, the said premises to be and remain to my said neice Hall, and the heirs males of her body lawfully issuing; and for default of such issue, to my daughter Judith, and the heirs males of her body lawfully issuing; and for default of such issue, to the right heirs of me the said William Shakespere for ever.

"*Item*, I give unto my wife my second best bed, with the furniture.

"*Item*, I give and bequeath to my said daughter Judith my broad silver gilt bowl. All the rest of my goods, chattels, leases, plate, jewels, and household-stuff whatsoever, after my debts and legacies paid, and my

funeral expenses discharged, I give, devise, and bequeath to my son-in-law, John Hall, gent., and my daughter Susanna his wife, whom I ordain and make executors of this my last Will and testament. And I do entreat and appoint the said Thomas Russel, esq., and Francis Collins, gent., to be overseers hereof. And do revoke all former Wills, and publish this to be my last Will and testament. In witness whereof I have hereunto put my hand, the day and year first above written.

"By me,



"*Witness to the publishing hereof,*

FRA. COLLYNS,
JULIUS SHAW,
JOHN ROBINSON,
HAMNET SADLER,
ROBERT WHATTCOAT.

"*Probatum fuit testamentum suprascriptum apud London, coram Magistro William Byrde, Legum Doctore, &c. vicesimo secundo die mensis Junii, Anno Domini* 1616; *juramento Johannis Hall unius ex. cui, &c. de bene, &c. jurat, reservata potestate, &c. Susannæ Hall, alt. ex. &c. eam cum venerit, &c. petitur, &c.*"

A LION SERMON.

SIR JOHN GAYER, a citizen of London, and Lord Mayor upwards of 200 years ago, left by Will some money to provide for a sermon, which is preached at the Church of St. Katharine Cree, Leadenhall Street, every October, in commemoration of his being saved from a lion on the coast of Africa, in answer to prayer.

MUSIC.

RICHARD LANE, otherwise TOMSON, by his Will, dated 24th July, 1619, gave to one of the deacons of the Cathedral Church of Hereford 40s. yearly for ever, to prick fairly into books, songs, and church service, for the use of the same church; and upon his coming every half-year for his wages, he should bring with him the sub-chanter of the choir, who would show to him who had the payment of the money, what he had done in that business the half-year last past; and if he should be found negligent therein, then the payment for that time should be given to twelve poor men the Saturday next following.

DRINKING.

Slinfold, Sussex.

EDWARD COOPER, by his Will, dated 10th February, 1621, gave 20s. a-year out of lands called Whitbers, in Slinfold, 15s. thereof to be bestowed by the church-wardens and overseers upon a drinking, for the use of the poor of the parish yearly, at the feast day of the Purification of the Virgin, in as good sort as they could, and the other 5s. to drink withal themselves, for their labour and pains therein.

The land is now called South Whitbreads, and the

owner of the property regularly pays the sum of £1 yearly, which is distributed amongst the poor at Christmas by the churchwardens and overseers.

LOYALTY, ETC.

Alcester, Warwickshire.

ROBERT WILCOX, by Will, dated 24th December, 1627, gave a house and close to the town of Alcester, for the maintenance of three sermons in the year, viz. :—

"One upon the 5th of November, in remembrance of our happy deliverance, with our king, nobles, and states, from the pestilent design of the Papists in the Powder Plot; one on the 17th November, in remembrance of that good Queen Elizabeth, her entrance unto the Crown; and the third upon the last day of July, in remembrance of the Lord's gracious deliverance from the Spanish Armada, in '88."

And whereas the rent was 20s. by the year then, and the good-wife, Lilly, having her life in it, after her decease no doubt the house and close would be worth 30s. by the year; then his Will was that the said overplus should be given to the poor every year, as the rent should come in, for ever.

THREE SERMONS, IN COMMEMORATION OF THE SPANISH ARMADA, GUNPOWDER PLOT, ETC.

This Will is an example of the fruitfulness of the good intentions of its testator. Most of our charities and benevolences have been founded and set on foot by the goodness of some person or persons, and our charitable institutions, which are legion, bear testimony to the fact that true Christians live and have lived

amongst us. In the first instance the testator bequeaths the sum of three pounds ten shillings yearly to the rector and churchwardens of the parish of St. Pancras, Soper Lane, in the City of London, out of his tenements in Whitecross Street, for the purpose of preaching three sermons in the parish church—one on the 10th or 12th of August, in commemoration of the preservation of our Kingdom, in the year 1588, from the power of the Spanish Armada; a second on the 5th of November, in thankful acknowledgment to God for the deliverance of our King and Kingdom from the Gunpowder Treason; and the third on the 17th of November, in commemoration of the establishment of Queen Elizabeth. The remaining 30s. to be distributed in three equal parts on each of the days above named—the first, to the poor of the before-mentioned parish, and the prisoners in the hold of the Poultry Compter; the second, to the poor of the same parish, and the prisoners in the hold of the Wood Street Compter; the third, to the poor of the same parish, and the prisoners in Ludgate, for ever. In this Will is recited the bequest of Thomas Chapman's father of an annuity of 20s. for ever towards the rearing and education of the young bearing the name of Chapman, in Barley, in the county of Hertford, where his grandfather was born, with which the testator's said tenements in Whitecross Street were charged. The testator likewise devised the sum of £8 3s. 4d. out of the rents of the above-named tenements to the following purposes:—To the rector and churchwardens of the said parish, and their successors, an annuity of £11 3s. 8d. out of the remainder of the rents of the said tenements. The said sum of £11 3s. 8d. to be paid on the Nativity of St. John the Baptist, or within 28 days afterwards. The following are the purposes to which the said annuity

is to be devoted:—Forty shillings to the preachers of the three sermons appointed under his father's Will; to each 13s. 4d., making a total of £1 6s. 8d. for every sermon; 20s. payable at his dwelling-house in Soper Lane, London, on the Feast of St. Michael, in augmentation of his father's bequest, for the rearing and education of the children bearing the name of Chapman, in Barley; one sermon to be preached on St. James's Day (the testator's birthday), at the sum of £1 6s. 8d., and afterwards a dinner or refreshment to be given, at the cost of 40s., at his residence in Soper Lane, so long as the said house shall continue in the possession of his children or heirs, and afterwards wherever they shall please, in order that his wife, heirs, and executors, and the rector and churchwardens of the said parish, and their successors, may consider the better and more certain performance of the testator's Will, as regards the said sum of £11 3s. 8d. To pay, on All Saints' Day, 20s. to the parson and churchwardens of the parish of Little Burstead, Essex, to be distributed on Christmas Day amongst the poor of that parish; twelve pence to keep clean the preaching-place of Paul's Cross, in London; 20s. for the keep-up of the two lanterns set up by him, one at the church of St. Pancras, and the other at the corner of the lane near thereto, and for supplying two large candles for the said lanterns in the winter, to give light to passengers, the same being a "dark and dangerous place;" and the 5s. yearly residue of the £11 3s. 4d. to the clerk or sexton of the said church, for his trouble in seeing the lanterns named hung up, kept and repaired, and the candles set up, in accordance with the testator's true intent and meaning.

The testator further bequeathed the sum of ten pounds for the increase of the church stocks of St. Pancras.

CHARITY SERMONS, ETC., TO COMMEMORATE NATIONAL MERCIES.

St. Nicholas, Nottingham.

LUKE JACKSON, citizen and girdler, of London, by Will, dated 26th January, 1630; reciting that he was seised in fee of certain tithes at or near Horsepool, in the county of Leicester, being about the value of £20 per annum, devised the same to certain persons on trust, yearly, to pay the clear rents and profits thereof in manner following; that is to say, two equal third parts as followeth: 40s. thereof yearly to be given for two sermons to be preached in St. Peter's church, in the town of Nottingham, on 28th July and 5th November, *acknowledging God's mercy, and giving thanks for the deliverance of this land and people at two several times from the Invincible Armada* (as it was termed) *in* 1588, *and from the Gunpowder Plot in* 1605: and the residue of the said two-thirds to be distributed amongst the poor people in the parish of St. Peter, at the discretion of his five feoffees; and the other third part of the clear profits of the said tithes as followeth, viz. 40s. for two sermons to be preached in the church of Thornton, near Horsepool, *on the two above mentioned days*; and the residue to be distributed amongst the poor people in the parish of Thornton, at the discretion of his foeffees.

GRATITUDE.

Llan Gybi, Caernarvonshire.

CHARLES JONES, Esq., of Lincoln's Inn, by Will, dated 17th January, 1640, directed that an hospital should be built near Pullhelly for 12 poor men, and that his father first, his uncle next, and so their heirs, should

fairly and justly manage and govern such hospital, which he had long resolved, and with the desire of his deceased wife, who was with his father, and their mother, his brother Griffith, his sister, his wife, himself, and other servants, mercifully preserved and brought to land in Pullhelly, from imminent and present danger of the seas by God's unspeakable love and favour; and whereas likewise he in his younger years was miraculously, by God's own hand, drawn and led from the house in Port thyn Llayn, that was instantly cast and thrown down by the moultringe of an hill near thereunto, and therein nine persons and Christians were killed by reason thereof; himself, a child of three or four years of age at the most, having newly entered the house, and in a moment returned, not thirty yards from the house, but it fell all to dust and rubbish; for these and many other of God's great mercies and loving kindness unto him, he and his deceased wife had determined of this poor hospital; for the maintenance of which hospital to be erected, he devised for ever certain lands, of £50 per annum, and ordained his brother, Robert Jones, his executor.

It appears by a Latin inscription in front of the almshouses, that the benevolent intentions of the founder were entirely frustrated during the troubles of the civil war, and that the present edifice was erected by his heir, William Price, Esq., of Rhiwlas, in the year 1760.

CHARITABLE LIGHT.

London.

JOHN WARDALL, by Will, dated 29th August, 1656, gave to the Grocers' Company a tenement called the White Bear, in Walbrook, to the intent that they should

yearly, within thirty days after Michaelmas, pay to the churchwardens of St. Botolph, Billingsgate, £4 to provide a good and sufficient iron and glass lantern, with a candle, for the direction of passengers to go with more security to and from the water side all night long, to be fixed at the north-east corner of the parish church of St. Botolph, from the Feast Day of Saint Bartholomew to Lady-day; out of which sum £1 was to be paid to the sexton for taking care of the lantern.

ENCOURAGEMENT FOR MAID-SERVANTS.

Canterbury.

JOHN COGAN, by his Will, bearing date 27th July, 1657, reciting that he had lately purchased lands and tenements in the parishes of St. Mildred and St. Mary Castle, Canterbury, and in Thanington in Kent, of the yearly value of £35, which he hoped in ten years would improve in yearly value by £10, and which he intended to dispose of for the encouragement of maid-servants, to continue in service for six or seven years together; he therefore Willed and devised the sum of five pounds a-piece to any such three maid-servants as should, without compulsion, dwell with any master or mistress, not being their own kindred, within the city of Canterbury, for six or seven years together, without shifting their service; and he directed that such master or mistress should give a certificate of such service, and that the wages had not exceeded fifty shillings a-year, to the mayor, recorder, and three or more of the aldermen of the said city for the time being; and he further directed that the overplus, after keeping the said tenements in good repair, should be employed by the said mayor, recorder, and three of the said ancient aldermen for the time being, in clothing

six fatherless maiden children, from the age of six to twelve years, each to have a petticoat and waistcoat of coloured kersey, one pair of shoes, and one pair of stockings, on Christmas Day; and that they should go through the city of Canterbury from parish to parish, as the said overplus would extend.

BULL BAITING.

Wokingham, Berks.

GEORGE STAVERTON, by Will, dated May, 1661, gave out of his Staines house a yearly sum of £6 to buy a bull, which bull he gave to the poor of Wokingham town and parish, being baited, and the gift money, hide, and offal to be sold and bestowed upon the poor children in stockings of the Welsh, and shoes.

Until 1823 the baiting of the animal took place yearly on the 21st December, in the market place of Wokingham. In that year the Corporation determined upon discontinuing such a proceeding, which has since accordingly been omitted.

A LIGHT FOR NIGHT TRAVELLERS.

St. Michael, Crooked Lane, London.

JOHN COOKE, by Will, dated 12th September, 1662, gave to the churchwardens and vestrymen of this parish £76, to be laid out to the most profit and advantage, for various uses, and, amongst them—

To the parish clerk, on condition that he should weekly, on a Saturday, sweep and make clean the aisle of the church called Fishmongers' Aisle, 6s. 8d.

For the maintenance of a lantern and candle, to be of eight in the pound at the least, to be kept and hanged

out at the corner of St. Michael's Lane, next Thames Street, from Michaelmas to Lady-day, between the hours of nine and ten o'clock at night, until the hours of four or five in the morning, for affording light to passengers going through Thames Street or St. Michael's Lane, £1.

ENCOURAGEMENT TO ATTEND DIVINE SERVICE.

St. James's, Bristol.

THOMAS WALKER, of this parish, by his Will, dated 25th April, 1666, ordered as follows:—"I give and bequeath to that poor parish of St. James the sum of £200, to purchase for ever the sum of £10 8s. od. a year for eight poor house-keepers that are known to live in the fear of God, and to come unto the church every Lord's day, a six-penny loaf of bread every Sabbath day, after morning prayer, unto these eight poor house-keepers for ever; but for God's sake let them be no drunkards nor common swearers—no, nor that do beg in the streets from door to door, but let them be quiet people that do desire to live in the fear of God. Pray let their bread be wheaten bread, and weight as it ought to be.

SERMONS OF THANKFULNESS FOR PRESERVATION IN THE GREAT FIRE IN 1666.

St. Andrew Undershaft, London.

THOMAS RICH, by Will, dated 31st July, 1672, devised to Sir William Thompson and thirteen others, and their heirs and assigns, a messuage and premises situate in Lime Street, in this parish, on trust, to permit the minister and churchwardens to let the same, and receive the rents thereof, to be by them, and the overseers of the parish, distributed as follows; viz.—40s. yearly to

the minister of this parish, who should yearly preach two sermons in the said parish, one on New Year's Day, and the other on the third Tuesday in September, in thankfulness to God for the preservation of the said parish from the dreadful fire in 1666; viz.—20s. for each sermon, and to the clerk and sexton 3s. 4d. each; and £3 yearly to the parish of St. Catherine Cree Church, London; and the remainder to be distributed on St. Thomas's Day to honest and most wanting housekeepers of the said parish of St. Andrew Undershaft, charged with children, who should be of a godly life, and of a good report, not inmates, nor scandalized with any notorious vice, to every one of them, men or women, in that description of poverty, 20s. or more, to make even the said residue of the said rents and profits.

STORMY DAYS.

Castlerigg, Cumberland.

THOMAS WILLIAMSON, by Will, dated 14th Dec., 1674, gave the sum of £20 to be laid out in land to be bestowed upon poor people, born within St. John's Chapelry or Castlerigg, in mutton or veal, at Martinmas yearly, when flesh might be thought cheapest, to be by them pickled or hung up and dried, that they might have something to keep them within doors upon stormy days.

DOMINE, QUIS HABITABIT?

Cliffe Pypard, Wilts.

In the last Will and testament of THOMAS SPACKMAN, is as follows:—

"June 5th, 1675.—I do charge my lands with twenty-one shillings by the year, and to continue for

ever; viz. one shilling to the minister of the parish, to mind him of his duty in catechizing the children; twenty shillings to the poor of the parish yearly, to be given them at the church, viz.—five shillings on St. Thomas's Day, five shillings on the Annunciation of the Blessed Virgin Mary, five shillings on St. John the Baptist's, and five shillings on St. Matthew's Day: my Will is, that twenty poor people do receive three-pence a-piece, and that they be at the church at the beginning of prayers, or else to have no share; if the number be not twenty, then the remains to be given to those that are best deserving; and if they can, let them sing the 15th Psalm; now, if the minister be a good man, he will be careful to see this my Will performed, for the honour of the church, that at this day is almost destitute."

The land charged with this payment is in the tithing of Broad Town, and the property of William Ruddle Brown, a farmer. The sum has been for many years distributed in bread.

FANCY FOR COLOUR.

Melbourne, Derbyshire.

GREEN.

HENRY GREENE, by Will, dated 22nd December, 1679, gave to his sister, Catherine Greene, during her life, all his lands in Melbourne and Newton, and after her decease to others, in trust, upon condition that the said Catherine Greene should give four green waistcoats to four poor women every year, such four green waistcoats to be lined with green galloon lace, and to be delivered to the said poor women on or before the 21st of December yearly, that they might be worn on Christmas Day.

FOR PAUPERS.

Hallaton, Leicestershire.

VALENTINE GOODMAN, by Will, dated in 1684, bequeathed £800, to be laid out in land, and the profits thereof given to the "most indigent, poorest, aged, decrepid, miserablest paupers," viz., six from Easton, four from Medbourn, four from Hallaton, and two from Blaston; and if any part of the money (was) employed for easing town levies, or not according to the intent of the testator, then he declared that the gift should cease, and the money be employed for the redemption of Turkish captives.

A RELIGIOUS TASK.

Newark, Nottinghamshire.

Dr. THOMAS WHITE, Bishop of Peterborough, by his Will, bearing date in 1690, gave to the poor of the parish of Newark £240, to be laid out in land, £10 of which rent he allotted to the poor yearly for ever, and the surplusage, whatever it should be, to the rector, as a reward for his pains and fidelity in the distribution of the said £10 to the poor; and he directed that the distribution should be made yearly by the rector in the church porch, in the presence of the churchwardens or overseers, in the following manner, viz.: that it should be distributed the 14th December to twenty poor families, or persons of forty years old each, by equal shares, reckoning husband and wife for one person, *who should, before the receipt thereof, exactly and distinctly repeat the Lord's Prayer, the Apostles' Creed, and the Ten Commandments, without missing or changing one word therein.* And if any man and wife should appear for a share in

the said charity, it should not be a sufficient qualification for them that one of them made the exact rehearsal, but they should both make it, or else have no share at all in it. He also directed that no one should receive his charity twice, till all the poor of the parish should have received it once who should make the repetition aforesaid, that the advantage might spread as far as possible.*

FANCY FOR COLOUR.

THOMAS GRAY, by his Will, bearing date the 25th April, 1691, directed his executrix, Mary Gray, and others, to lay out £200 in the purchase of lands; and out of the profits of such land to lay out six nobles yearly to buy six waistcoats of *grey* cloth, edged with blue galloon lace, and 40s. to buy three coats of *grey* cloth, to be faced with baize; and that four of the said waistcoats should be given yearly to four poor widows or other poor women living in Castle Donnington, who were to be of good behaviour and endeavour to live honestly; and the other two waistcoats to two poor widows or women of like behaviour, of the parish of Melbourne: and two of the coats to be given yearly to two poor men of Castle Donnington, and the other to a poor man of Melbourne. And he also directed that copies of his Will should be entered in the town books of Castle Donnington and Melbourne, and also hung up in the respective churches, and that the same should be read yearly on St. Thomas's Day, or the following Sunday, after prayers, for the performance of which he directed that the ministers of the said parish

* Bishop White left the like bequest to the parish of Bottesford, in Leicestershire, with the same directions. Land was purchased, which is now let at £39 a year; and after paying £10 to the churchwarden, who distributes it according to the directions of the Will, the rector retains the surplus himself.

should have five shillings a-piece; and he further directed that fifteen dozen of bread should be given to the poor of Castle Donnington, and ten dozen to the poor of Melbourne, yearly, on St. Andrew's Day; and if any residue of the rents and profits of the said land should arise, the same should be laid out for the benefit of the poor children of Castle Donnington and Melbourne, in the proportion of two-thirds for the former, and one-third for the latter place, towards putting them out as apprentices.

SEAMEN'S FRIEND.

Wandsworth, Surrey.

FRANCIS MILLINGTON, by Will, dated 1692, ordered that his executor should, within one year after his decease, lay out the sum of £500 in the purchase of freehold lands, &c., within 100 miles of London, and settle the same on the Governors of Christ's Hospital, upon trust, to dispose of the profits yearly for the relief and maintenance of poor seamen or watermen of the age of fifty years or upwards, born and dwelling in the town or parish of Wandsworth, as should have lost their limb or limbs at sea, or should have been so wounded at sea that they should be disabled to get a livelihood, and in buying and making blue cloth alms coats for the same poor men, to be given to them yearly on Michaelmas day; and if there should be a want of seamen or watermen qualified as aforesaid to take up all the said rents and profits, then other seamen or watermen or other poor men of the age of 50 years or upwards, dwelling in the town or parish of Wandsworth, or under that age, seamen or watermen being to have preference, might be admitted to receive his said gift.

"I SHALL SPEAK IN PLAIN ENGLISH."

The last Will and Testament of Mr. DANIEL MARTINETT, of Calcutta, in the East Indies.

In the name of God, I, Daniel Martinett, of the town of Calcutta, being in perfect mind and memory, though weak of body, make this my last Will and Testament in manner and form following * * * To avoid Latin phrases, as it is a tongue I am not well versed in, "I shall speak in plain English."

First. In the most submissive manner I recommend my soul to Almighty God, &c.

Secondly. Now as to worldly concerns, in the following manner:—As to this fulsome carcase having already seen enough of worldly pomp, I desire nothing relative to it to be done, only its being stowed away in my old green chest, to avoid expense; for as I lived profusely, I die frugally.

Thirdly. The undertaker's fees come to nothing, as I won them from him at a game of billiards, in the presence of Mr. *Thomas Morrice* and *William Perkes*, at the said *William Perkes'* house, in *February* last. I furthermore request, not only as it is customary, but as I sincerely believe the prayers of the good availeth, and are truly consistent with decency, that the Rev. Mr. *Henry Butler* read the prayers which are customary at burials, and also preach a funeral sermon on *Sunday* next after my decease, taking his text from *Solomon*, "*All is vanity.*" In consideration of which, over and above his fees, I bestow upon him all my hypocrisy, which he wants as a modern good man; but as my finances are low, and cannot conveniently discharge his fees, I hope he will please accept the will for the deed.

Fourthly. To *Henry Vansittart*, Esq., as an opulent

man, I leave the discharge of all such sums of money (the whole not exceeding 300 rupees) that I shall stand indebted to indigent persons in the town of Calcutta.

Fifthly. To Mr. *George Grey*, Secretary to the Presidency, I bequeath all my *sincerity*.

Sixthly. To Mr. *Simon Drose*, Writer to the Secretary's office, all my *modesty*.

Seventhly. To Mr. *Henry Higgenson*, also of the Secretary's office, *all the thoughts I hope I shall die possessed of*.

Eighthly. To Mr. Thomas Forbes, all the *worldly assurance* which I had when I had taken a *cheerful glass*, though in fact a *doleful cup*.

Ninthly. My wearing apparel, furniture, books, and everything else I die possessed of, I bequeath to them who stand most in need of them, leaving it to the discretion of my executor, Mr. *Edward Gulston*, excepting the things after mentioned:—Unto Capt. *Edward Menzies*, late commander of the ship *Hibernia*, I give my sea quadrant, invented by *Hadley*, and made by *Howell*, in the *Strand;* likewise my two-feet *Gunter's* scale. These I give him because I believe *he knows the use of them better than any commander out of this port*.

My silver watch and buckles I give to Mr. *Edward Gulston*, in lieu of his *sincere friendship* to me during our acquaintance; and these I hope he will not part with, unless his necessities require it, which I sincerely hope will never be the case.

Also to Mr. Thomas Forbes I give my gold ring with a blue stone set therein, which he may exchange for a mourning one if he pleases.

I give my Bible and Prayer-book to the Rev. Mr. Henry Butler.

My sword, with a cut-and-thrust blade, I give to

Capt. *Ransulie Knox, as I verily believe he not only knows how, but has courage to use it, and I hope only in a good cause.*

As I have lived the *make-game of a modern gentleman,* being a butt for envy and a mark for malice, *by acting a little out of the common road,* though, thank God, never in a base way, I hope I may die in sincere love and charity to all men, forgiving all my persecutors, as I hope for forgiveness from my Creator.

As it lies not in my power to bequeath anything to my relations at home, *I shall say nothing concerning them, as they have not for these six years past concerned themselves about me;* excepting that I heartily wish them all well, and that my brothers and sisters may make a more prosperous voyage through this life than I have done.

DANIEL MARTINETT.

NOTE.—It is said Governor Vansittart was so well pleased with this Will, that he generously discharged the debts mentioned in the tenth article of it.

A BUILDING FOR CORN AND WINE.

Will of a Citizen of Berne, Switzerland.

Being anxious for my fellow-citizens of Berne (who have often suffered by dearth of corn and wine), my Will is that, by the permission of Providence, they shall never for the future suffer again under the like calamity, to which end and purpose I give my estate, real and personal, to the Senate of Berne, in trust for the people; that is to say, that they receive the produce of my estate till it shall come to the sum of (suppose two thousand pounds); that then they shall lay out the two thousand pounds in building a town house, according to a plan by me left; the lower story whereof to consist

of large vaults or repositories for wine; the story above I direct to be formed into a piazza, for such persons as shall come to the market at Berne for disposing of their goods free from the injuries of the weather; above that I direct a council chamber to be erected for a committee of the Senate to meet in from time to time to adjust my accounts, and to direct such things as may be necessary for the charity; and above the council chamber as many floors for granaries as can be conveniently raised, to deposit a quantity of corn for the use of the people whenever they shall have occasion for it. And when this building shall be erected, and the expense of it discharged, I direct the Senate of Berne to receive the produce of my estate till the same shall amount to the sum (suppose of two thousand pounds); and when the price of corn shall be under the mean rate of the last ten years, one fourth part, they shall then lay out one thousand pounds in corn, and stow it in my granaries; and the same in wine, when under one fourth of the mean rate of the last ten years; and my Will is that none of the said corn or wine shall be sold until the price of corn and wine shall exceed at the common market one fourth of the mean rate for the last ten years; and then every citizen of Berne shall demand daily (and proportionally weekly) as many pounds of wheat and as many pints of wine as he has mouths in his family to consume, and no more, and that for the same he pay ready money after the mean rate that it has been at for the last ten years past, a due proportion being allowed for waste, and that to be settled by the Senate; and that each householder shall be so supplied as long as the price of corn and wine shall continue above the rate of one fourth more than the mean rate; and whatsoever increase shall be made of the capital,

it shall be laid out under the same restrictions, in adding to the stock of corn and wine; which, under the blessing of God, will, I hope, in a certain time reduce these two necessary articles of life to very near a fixed price, to the glory of God and the benefit of the poor.

This legacy has existed about 300 years, and had the desired effect at Berne, and a Will on the sam principle has been made for purchasing fuel for the poor of Kingston-on-Thames.

EXHORTATION TO CONDEMNED PRISONERS.

St. Sepulchre, London.

ROBERT DOWE, in his lifetime, on the 8th of May, 1705, gave £50 to the end that the vicar and churchwardens of this parish should, for ever, previously to every execution at Newgate,* cause a bell to be tolled, and certain words to be delivered to the prisoners ordered for execution, in the form and manner specified in the terms of his gift, as set forth in the old Will book.

An annual sum of £1 6s. 8d. in respect of this gift is charged upon the parish estate in West Smithfield; it is paid to the sexton, who employs a person to go to Newgate on the night previous to every execution, where he offers to perform the prescribed duty, which is always declined, as all needful services of that kind are performed within the prison.

Noorthouck, in his History of London, gives the words

* All criminals now who have forfeited their lives by murder, are executed inside the prison walls in the presence of the proper authorities and gentlemen of the Press, the time of such execution being denoted by a "*black flag*" being hoisted outside the prison walls

of the exhortation. He states that the sexton "comes at midnight, and after tolling his bell calls aloud,

'You prisoners that are within,
Who for wickedness and sin,

after many mercies shewn you, are now appointed to die to-morrow in the forenoon, give ear and understand, that to-morrow morning the greatest bell of St. Sepulchre's shall toll for you in form of and manner of a passing bell, as used to be tolled for those that are at the point of death; to the end that all godly people hearing that bell, and knowing it is for your going to your deaths, may be stirred up heartily to pray to God to bestow his grace and mercy upon you whilst you live. I beseech you for Jesus Christ's sake to keep this night in watching and prayer, to the salvation of your own souls, while there is yet time and place for mercy; as knowing to-morrow you must appear before the judgment seat of your Creator, there to give an account of things done in this life, and to suffer eternal torments for your sins committed against Him, unless upon your hearty and unfeigned repentance you find mercy through the merits, death, and passion of your only mediator and advocate Jesus Christ, who now sits at the right hand of God to make intercession for as many of you as penitently return to him.'

"On the morning of execution, as the condemned criminals pass by St. Sepulchre's churchyard to Tyburn, he tolls his bell again, and, the cart stopping, he adds, 'All good people pray heartily unto God for these poor sinners, who are now going to their death, for whom this great bell doth toll. You that are condemned to die, repent with lamentable tears; ask mercy of the Lord for

the salvation of your own souls, through the merits, death, and passion of Jesus Christ, who now sits at the right hand of God, to make intercession for as many of you as penitently return unto him.

'Lord have mercy upon you!
Christ have mercy upon you!
Lord have mercy upon you!
Christ have mercy upon you!'"

A NOBLE GIFT.

DR. RADCLIFFE* left, by Will, his Yorkshire estate to the Master and Fellows of University College for ever, in trust, for the foundation of two Travelling Fellowships, the overplus to be paid to them, for the purpose of buying perpetual advowsons for the members of the said college.

£5,000 for the enlargement of the building of University College, where he himself had been educated.

£40,000 for the building of a library at Oxford.

£500 yearly, for ever, towards mending the diet of St. Bartholomew's Hospital.

After the payment of these bequests, and some legacies to various individuals mentioned in the Will, he gave to his executors, in trust, all his estates in Buckinghamshire, Yorkshire, Northamptonshire, and Surrey, to be applied to such charitable purposes as they in their discretion should think best, but no part thereof to their own use or benefit.

* Died November 1st, 1714.

MORE GENEROUS THAN POLITE.

EDWARD WORTLEY MONTAGU*, son of Mr. Montagu, Ambassador to Constantinople in 1716, by Lady Mary Wortley Montagu, his wife, the supposed "Sappho" of Pope, is more than singular. After some bequest "to my noble and worthy relation, the Earl of ——, he adds, "I do not give his lordship any further part of my property because the best part of that he has contrived to take already. Item, to Sir Francis —— I give one word of mine, because he has never had the good fortune to keep his own. Item, to Lord M—— I give nothing, because I know he'll bestow it on the poor. Item, to ——, the author, for putting one in his travels, I give five shillings for his wit, undeterred by the charge of extravagance, since friends who have read his book consider five shillings too much. Item, to Sir Robert W—— I leave my political opinions, never doubting he can well *turn* them into cash, who has always found such an excellent market in which to *change* his own. Item, my cast-off habit of swearing oaths I give to Sir Leopold D——, in consideration that no oaths have ever been able to find him yet."

From some quarrel with his famlly he advertised for some widow or single lady of good manners likely to bring him an heir in — months. This treasure to his arms his valet brought by his desire to meet him at Venice from England; but as the ship of Wortley Montagu was entering the Venetian lagunes, to wed the chaste bride on the following day, the eager and expectant bridegroom swallowed too hastily a chicken bone, which, sticking in his throat, suffocated him in a few minutes.

* Born at Wharncliffe Lodge, Yorkshire, 1714; died at Padua, 1776.

ENCOURAGEMENT TO LEARN THE LORD'S PRAYER, ETC.

Wootton, Surrey.

WILLIAM GLANVILLE, by Will, dated December 31st, 1717, directed that the trustees to be appointed in pursuance of his Will should, amongst other things, on the anniversary of his death, pay to five poor boys of the parish of Wootton, who should not exceed the age of sixteen years, the sum of forty shillings each, upon condition that such five boys should, with their hands laid upon his gravestone, repeat by heart, in a plain and audible voice, the Lord's Prayer, the Apostles' Creed, and Ten Commandments, and should also read the 15th chapter of the First Epistle of St. Paul to the Corinthians, and write, in a legible hand, two verses of the said chapter; and, in case a sufficient number of poor boys could not be found in the parish of Wootton qualified to take the benefit of this charity, he empowered the trustees to choose other boys, not exceeding the number aforesaid, nor of more adult years than was before mentioned, out of the several parishes of Westcot, Abinger, Shere, Ashstead, Epsom, and Cheam.

ATTACHMENT TO A FAMILY NAME.

London.

JOHN NICHOLSON of London, Stationer, by Will, dated 28th April, 1717, after bequeathing several specific legacies, gave all the residue of his estate in charity towards the support and maintenance of such poor persons of the Kingdom of England as should appear to be of the name of Nicholson, being Protestants; and he

directed that it should be disposed of in the following manner, namely:—

One hundred pounds a-year to two such poor persons, men or women, of the name of Nicholson, towards their advancement in marriage; to each of them £50; always observing that no more than £50 be given to any one couple so marrying.

One hundred pounds per annum towards putting apprentice such poor boys and girls of the name of Nicholson, or towards setting them up, as his trustees should think fit.

And one hundred pounds per annum towards the support and maintenance of such poor men and women of the name of Nicholson, as his trustees should direct; always observing that not more than £10 a-year and not less than £5 a-year should be given to any one person; the said sums to be paid to them at their own habitations.

He appointed William Nicholson, Lord Bishop of Carlisle; Mr. Nicholson, the Bishop's son; and three other persons of the name of Nicholson, two of whom were resident in London, trustees; and left to them the entire management of this charity and appointed them his executors.

CHARITY FOR THE REDEMPTION OF BRITISH SLAVES.

Shoreditch, Middlesex.

THOMAS BETTON, of Hoxton Square, by Will, dated 15th February, 1723, after giving 4s. to his brother Timothy and his three children, and ordering the payment of some trifling annuities, bequeathed the residue of his property to the Company of Ironmongers, London, upon trust, to place out his estate at interest on good

securities, and not diminish the capital, that they should not apply the interest to any other use whatever than as follows, viz. :—

One full half-part of such interest of the whole estate to be paid yearly, for ever, to the redemption of British slaves in Turkey or Barbary.

One full fourth-part yearly for ever unto charity schools in the city and suburbs of London, where the education is according to the Church of England.

The other fourth-part to the Ironmongers' Company for certain other purposes, in consideration of their care and pains in the execution of his Will.

The clear personal estate left by Mr. Betton (who died in 1725) was estimated in 1730 as amounting to about £22,000.

In November, 1829, an information was filed by the Attorney-General against the Ironmongers' Company, setting forth that the said Company had, out of the rents and profits of the estate, paid yearly to various charity schools in the city and suburbs of London, nearly one full fourth-part thereof, and applied one other full fourth-part to their use, according to the directions of the said Will; that for many years past they had not applied any part of the remaining money in the redemption of British slaves in Turkey and Barbary, but had invested the monies arising therefrom in the purchase of stock, of which they kept separate and particular accounts; that by certain treaties entered into between this country and Turkey, and the States of Barbary, all dealings in slaves were prohibited, and therefore, according to the laws of this country, the said moiety could not be applied according to the directions of the testator, and the information prayed that one moiety of the charity estates should be applied to the purposes of

charity as near to the intention of the donor as the circumstances of the case would admit.

From the answer of the defendants it was elicited, that their clear income was £1,700 a-year, after deducting the outgoings; and that between 1734 and 1826 they had expended the sum of £21,088 8s. 2½d. in carrying out the benevolent wishes of the donor for the redemption of British captives. They stated that they had been informed there were certain treaties between this country and Turkey, and the States of Barbary, by which all dealings in slaves were prohibited, but that the said treaties were not all of modern date; the treaty to that effect with the state of Algiers, for instance, being as old as 1602; that the existence of the treaty did not altogether supersede the utility of Mr. Betton's bequest for the redemption of British slaves, for that many parts of the coast of Barbary were in a very unsettled state, and the inhabitants very little under the control of the nominal government; and that when British subjects were shipwrecked on those parts of the coast they were in part detained as slaves, and their liberty could often only be procured by the payment of money by way of presents; and when they were redeemed by the Government in consequence of the interference of the British Consuls, and set free, they were often obliged to wait many months before they could obtain a passage home, and were destitute of the means either of supporting themselves there or of obtaining a passage home, but for the assistance of this charity fund, and that consequently the charity fund could in some degree be still applied according to the directions of the testator; and that, as lately as the year 1825, the sum of £320 6s. 9d. was paid for the support and passage home of the crew of a vessel wrecked to the north of Cape Canton, and afterwards redeemed by the Emperor of Morocco.

The defendants admitted that the income of the charity funds applicable for the redemption of British slaves was much more than sufficient to meet the demands upon it for the direct purposes of that particular charity, and expressed their readiness to act in the execution of the trusts of the Will, as the Court might direct, on being indemnified.*

TO TOLL THE BELL.

Great Gonerby, Lincolnshire.

WILLIAM MINTA, who died 8th June, 1724, gave £5 to the poor of Gonerby, to be distributed in bread to sixteen aged people, on Good Friday, yearly, a "three-penny dole a-piece," and the clerk was "to toll the bell at three o'clock, and to read the Epistle and Gospel, and sing the Lamentation of a Sinner," and to have one shilling reward.

TO KEEP PEOPLE AWAKE, ETC.

Trysull, Staffordshire.

JOHN RUDGE, amongst other charities to this parish, gave by Will, dated 17th April, 1725, 20s. a-year, payable at 5s. a quarter, to a poor man, to go about

* On 23rd January, 1841, the Lord Chancellor, on giving judgment, directed that (as the primary object of the testator could not be carried into effect) the interest of this immense sum should be applied to the purposes of promoting education in schools, according to the principles and tenets of the Established Church, throughout England and Wales, not giving at one time more than £20 to any one school.

Malcolm makes this statement respecting Betton's Charity to poor slaves:—"In the year 1734 about 135 captive Britons, nine of whom were commanders of vessels, arrived in England from the states of Barbary, and were presented to the King and the Lords of the Admiralty, and they afterwards dined together at the company's hall."

the parish church of Trysull, during sermon, to keep people awake, and to keep dogs out of the church.

AN ASYLUM FOR MAIDEN GENTLEWOMEN.

York, Masons' Hospital.

MARY WANDESFORD, of the city of York, spinster, by Will, dated 4th November, 1725, gave all her lands, &c., to the Archbishop of York and others, in trust, for the use and benefit of ten poor gentlewomen who were never married, and should be of the religion practised in the Church of England, who should retire from the noise and hurry of the world into a religious house; a Protestant retirement to be provided for them where they should be obliged to continue for life; and she directed that if any person elected into that society by the trustees, (whom she constituted and appointed perpetual electors,) should withdraw herself from the house, or should marry or behave herself unsuitably to the design and rules of the foundation, the trustees should remove her, and fill her place with another gentlewoman.

And she directed her trustees to purchase a convenient habitation for the said poor gentlewomen, where they might all live together under one roof, and make a small congregation, once at least every day at prayers, such as her trustees should think proper for their ease and circumstances, and she appointed £10 per annum to be paid to a reader, who should be appointed by her trustees. The maiden gentlewomen admitted, are appointed by the trustees on petition, stating the age, place of abode, and means of the petitioner; that she has lived in the communion of the Church of England, is of sober life and conversation, and of respectable character. Proof is required that she is above the age of fifty years.

TOLERANCE.

Tewkesbury, Gloucestershire.

WILLIAM WILSON, by his Will, dated 15th April, 1726, gave the sum of £100 South Sea Stock to the Chamber of the Corporation of Tewkesbury, upon trust, to permit the high bailiff for the time being to receive the dividends thereon, and dispose of the same, at his discretion, to poor persons of Tewkesbury, especially to such *as should be visited with sickness or other calamitous accidents, without any regard to differences of political and religious opinions,* the bailiff to account to the chamber for the disposal of the same, and to retain 10s. for his trouble.

BENEVOLENCE ENCOURAGED.

Cirencester, Gloucestershire.

MR. RICHARD MATTHEWS, who, by Will, dated about 1727, gave £150 to be laid out in the purchase of freehold lands, and directed the profits thereof to be applied yearly for putting out one poor boy of that town to be an apprentice in the city of London, ordered, that each of the poor boys so put forth should subscribe the following indorsement upon their several indentures, viz. :—

"I do hereby solemnly promise, in presence of Almighty God, to the trustees of Mr. Richard Matthews, deceased, that if it shall please the Lord in mercy to raise me to any competent position, I will give monies for binding forth other poor boys or girls, as the said Mr. Richard Matthews hath done for me."

CHRISTMAS FESTIVITIES.

Exeter, St. Mary Major.

It appears from a statement of charities in an old book that JOHN MARTYN, by Will, dated 28th November, 1729, gave to the churchwardens and overseers of the poor of this parish twenty pounds, to be put out at interest, and the profits thereof to be laid out every Christmas eve in twenty pieces of beef, to be distributed to twenty poor people of the parish, such as had no relief on that day, for ever.

BEQUEST OF WHEAT.

Rotherfield, Sussex.

Sir HENRY FERMOR, by Will, dated in 1732, charged his lands, &c., in Hadlow, and Great Peckham, in Kent, with the payment of three loads of the best wheat bread corn, one of such loads to be delivered by the owners of such lands, &c., on the 10th October in every year, to the churchwardens of the parish of Rotherfield, to be disposed of to forty industrious poor men and women, who should not receive alms of the parish; such poor people to be chosen, and such distribution to be made, by the freeholders of the parish at their vestry.

The wheat is not now delivered by the owner and occupier of the estate which pays this charge, and which is called Goose Green Farm; but it is purchased for the churchwarden at his request, he receiving the purchase-money from him.

MUSICAL FUNERAL.

In 1733, there died at Lexington, America, JOHN UNDERWOOD, who, in accordance with his Will, was

buried after this fashion:—The funeral was at five in the evening. No bell was tolled; no relative was present, the bier was painted green, and the body was laid on it dressed in ordinary clothes; beneath the head was placed a copy of Horace, at his feet a Milton, on his right hand a small Greek Bible, with his name on the binding in gilt letters, on the left a smaller edition of Horace with the inscription "Musis amicus, J.U.," and under his shoulders Bentley's Horace. When the ceremony was concluded, his friends returned to his house, where his sister awaited them, and all sat down to an elegant supper; after it was over, the company joined in in singing the thirty-first ode of the first book of Horace. Then they drank gaily for some time, but retired at eight o'clock. Mr. Underwood bequeathed about fifty thousand dollars to his sister, on condition that she should carry out faithfully the conditions of his Will; he left ten pounds sterling to each of his friends, requesting them not to wear mourning. As another detail, as soon as the grave was filled up and covered with turf, the six friends who had attended on the occasion, sang the last stanza of the twentieth ode of the second book of Horace.

WILLS IN RHYME.

The following Wills, recently deposited in Doctors' Commons, and now in Somerset House, were proved just about a century ago:—

Of this I never will repent,
'Tis my last Will and testament,
If much or little—nay, my all—
I give my brother, Matthew Gall;

And this will hinder any pother *(sic.)*
By sister Stritch or Mic, our brother:
Yet stop! should Mat die before Mic,
And that may happen, for Death's quick,
I then bequeath my worldly store
To brother Mic for evermore;
But should I outlive my brothers,
It's fit that then I think of others.
Matthew has sons, and daughters too,
'Tis all their own, were it Peru.
Pray, Mr. Forrest, don't sit still,
But witness this as my last Will.

MONICA SWINEY.

I give and bequeath,
When I'm laid underneath,
To my two loving sisters most dear,
The whole of my store,
Were it twice as much more,
Which God's goodness has granted me here.

And that none may prevent
This my Will and intent,
On occasion the least of law racket,
With a solemn appeal,
I confirm, sign, and seal
This, the true act and deed of WILL JACKETT.

Mr. HICKINGTON'S last Will, proved at the Deanery Court at York, runs as follows:—

This is my last Will,
I insist on it still,
To sneer on and welcome,
And e'en laugh your fill.

I, William Hickington,
Poet of Pocklington,
Do give and bequeath,
As free as I breathe,
To thee, Mary Jarum,
The Queen of my Harum,
My cash and my cattle,
With every chattel,
To have and to hold,
Come heat or come cold,
Sans hindrance or strife,
Though thou art not my wife.
As witness my hand,
Just here as I stand,
The twelfth of July,
In the year Seventy.

WM. HICKINGTON.

The Will of JOHN HEDGES, which was proved in 1737, was as follows:—

This fifth day of May,
Being airy and gay,
To trip not inclined,
But of vigorous mind,
And my body in health,
I'll dispose of my wealth;
And of all I'm to leave
On this side the grave,
To some one or other,
I think to my brother.
But because I presaw
That my brothers-in-law

I did not take care,
Would come in for a share,
Which I noways intended,
Till their manners were mended—
And of that there's no sign;
I do therefore enjoin,
And strictly command,
As witness my hand,
That nought I have got
Be brought to hotch-pot;
And I give and devise,
Much as in me lies,
To the son of my mother,
My own dear brother,
To have and to hold
All my silver and gold,
As th' affectionate pledges
Of his brother,

JOHN HEDGES.

CHRISTMAS FESTIVITIES.

Bridgnorth Almshouses, Shropshire.

WILLIAM TAYLOR, by Will, dated 6th February 1735, directed that Elizabeth Leigh, then owner, and the persons who subsequently should be owners of his two freehold houses, &c., situate in High Street, in the parish of St. Leonard, should yearly, for ever, on the 26th December, give and provide a good and wholesome dinner for the poor persons, almshouse women, inhabiting the almshouse belonging to the parish of St. Leonard, in such manner as of late years had been provided for them on that day by the testator and his late brother;

and they to be so entertained in the most convenient part of the house that fronted the street; and upon every default his Will was, and he ordered the sum of £10 to be paid to, and equally divided amongst, such poor persons, and the same to be chargeable upon the said houses, &c.

FOR ERECTING A BRIDGE, OR FOUNDING AN HOSPITAL.

Bristol.

By Will, dated 1st December, 1753, Mr. WILLIAM Vick, merchant, of Bristol, gave the sum of £1,000, to be secured to the society of merchant adventurers of that city, upon the trusts thereinafter mentioned, (that was to say,) whereas, he was of opinion that the erecting a stone bridge over the river Avon, from Clifton Down, in Gloucestershire, to the opposite side of Leigh Down, in the county of Somerset, for carriages, as well as horse and foot passengers, toll free, would be a great public utility;* and he had heard and believed that the building of such bridge was practicable, and might be completed for less than £10,000; for the advancing and effecting of so useful a work, and for the encouragement of contributions thereto, he directed that the said sum of £1,000 sould be placed out at interest by the society, until the same should accumulate or increase to the said sum of £10,000, which, when effected, the society was to expend so much thereof as should be necessary in erecting such stone bridge, and in defraying the needful expenses thereabout, either for obtaining an Act of Parliament to be enabled to carry on and complete such work, or for making satisfaction to the proprietors of

* An iron suspension bridge has since been built by I. Brunel, Esq.

Rownham Ferry, or for purchasing such ferry, if either should be necessary, or otherwise; and the surplus, if any, after the building and completing of such bridge, he directed to be applied by the said society to such charitable use as they should think proper. And his Will further was, that the society should be at liberty to lay out the said trust money at any time, in case other monies should be given, which, together with the amount of the then trust estate, should be deemed sufficient for such undertaking.

Provided also, and his Will expressly was, that in case the said society should decline or refuse to lay out the trust money for the uses aforesaid, when such accumulation was effected, or that the erecting such bridge was impracticable, unuseful, or improper, then he gave such trust money to the mayor, burgesses, and commonalty of the city of Bristol, £4,000 whereof to be lent, free of interest, to young, honest, and industrious clothworkers, residents of the parish of Minchinhampton, in the county of Gloucester, and of Bristol, and the other £6,000 to be applied towards the founding, erecting, and maintaining an hospital for illegitimate children, and to be added to any subscription for that much wanted charity, under and subject to such regulations as the said chamber of Bristol should think proper, &c.

A TASK.

Shere, Surrey.

THOMAS GATTON, by Will, dated 2nd May, 1758, gave £400 to be secured to the parish of Shere, the interest thereof to be for the teaching such a number of poor children, as the rector and churchwardens should think proper, to read and write, the rector or curate to have one guinea

per year, to catechise them, and to make a sermon once a-year, the text to be taken out of one of the chapters they were to learn by heart. The chapters were, 1st of Proverbs, the 11th and 12th of Ecclesiastes, the 15th Psalm, the 13th of the 1st of Corinthians, and the 6th chapter of the Ephesians.

GRATITUDE FOR BEING PRESERVED IN A BATTLE.

Bristol, St. James's.

EZEKIEL NASH, for a memorial of his thankfulness to Almighty God for his wonderful preservation in an engagement with a French frigate, March the 8th, 1762, gave by Will, dated 27th March, 1800, the sum of £100, to the churchwardens and overseers for the time being of such parish as he should be buried in, upon trust, to invest the same and apply the interest annually in manner following, viz., to the minister of the same parish, for preaching a sermon yearly, on the 8th of March, for ever, one guinea; to the clerk and sexton for their attendance, 5s. each: the residue in the purchase of bread, to be distributed on the 8th March, and the six Sundays next following, among such poor persons of the parish whom the minister, churchwardens and overseers, should think fit objects to receive the same, not receiving alms or other charity.

THE GRATITUDE OF A MEMBER OF PARLIAMENT.

Warwick.

HENRY ARCHER, Esq., late of Hale, in the county of Southampton, by Will, dated the 5th November, 1764, gave the sum of £500 to the poor of the borough of

Warwick, in grateful remembrance of the very great honour conferred on him by the said borough (which he represented in Parliament) for thirty years and upwards, to be disposed of, and managed to the best advantage of the said poor by his brother Lord Archer, the Earl of Warwick, and Matthew Wise, Esq., and by the respective vicars, churchwardens and overseers of the poor of the parishes of St. Mary and St. Nicholas, in the said borough, for the time being.

The interest is employed in purchasing coals in the summer, and selling them to the poor at a reduced price in winter.

POOR DISTRESSED SOLDIERS AND SEAMEN.

London.

Sir John Langham, of Cottesbrooke, in the county of Northampton, baronet, by his last Will, dated 31st August, 1764, among other things, gave and bequeathed as follows:—

"Lastly, I give in trust to the Lord Mayor and Aldermen of the City of London £6,000 out of my stock in New South Sea Annuities, towards raising a fund for the relief of poor distressed soldiers and seamen and their families."

In respect of this charity, the sum of £7,000 stands in the 3 Per Cent. Reduced Annuities, in the names of the chamberlain, the town-clerk, and the comptroller of the chamber, for the purposes of the trust, as directed by the Will.

The dividends of this stock, amounting to £210 per annum, are applied, at the discretion of the Lord Mayor,

Aldermen, and the representative of the Langham family, in sums of £4 each to 27 poor soldiers and 27 seamen annually.

GLORIFYING GOD.

Newnham, Gloucestershire.

In the last Will of JAMES JOCHAM, of Bristol, dated 21st December, 1764, the following bequest appears:—"I give to my said son, James Jocham, the interest of £1,000 which is now out on the Bridge security, for his life, he paying yearly thereout to the ministers, clerks, and sextons of the parishes of St. Augustine, in the said city of Bristol and Newnham aforesaid, the sum of three guineas (that is to say) one guinea to the minister of each parish, and half-a-guinea to the clerks and sextons of each parish, to be divided amongst them equally, for preaching a sermon on the 14th of May yearly, for ever, the text to be taken out of the Common Prayer Book on these words, "O, all ye works of the Lord, bless ye the Lord, praise Him, and magnify Him for ever." Item, I give to the parish of Newnham aforesaid, after the decease of my said son James, the interest of the said sum of £1,000 towards clothing fifteen poor boys of the said parish yearly, for ever, and the remainder(if any) to poor lying-in women of the same parish, not receiving alms, as the minister, church-wardens, and gentlemen of the same parish shall think the greatest objects of charity; and after the said sum of £1,000 shall be paid in from the Bridge, I desire my executors and trustees to lay it out in the purchase of some lands, or else to put it out on Government or other good security for the uses above mentioned."

THANKFULNESS.

In the codicil annexed to the last Will of ROBERT NORTH, Esq., of Scarborough, proved in October, 1765, the following occurs :—

I give to Mrs. R. G. my English walnut bureau, made large to contain clothes, but hope she will not forget when she makes use of it that graces and virtues are a lady's most ornamental dress; and that that dress has this peculiar excellence, that it will last for ever and improve by wearing.

I give to Lieutenant W. M., my godson, my sword, and hope he will (if ever occasion should require it), convince a rash world he has learnt to obey his God as well as his general, and that he entertains too true a sense of honour to admit anything into the character of a good soldier which is inconsistent with the duty of a good Christian.

And now having, I hope, made a proper disposition of my lands and money, those pearls of great price in the present esteem of men, let me take this opportunity of expressing my gratitude to the grand original proprietor; and here I must direct my praises to that benign Being who through all the stages of my life hath encompassed me with a profusion of favours, and who by a wonderful and gracious Providence hath converted my very misfortunes and disappointments into blessings; nor let me omit, what the business just finished seems more particularly to require of me, to return Him my unfeigned thanks, who, to all the comforts and conveniences of life, hath superadded this also of being useful even in death, by thus enabling me to dispose of a double portion, namely, out of love to the poor, and another of gratitude to my friends.

All my faults and follies, almost infinite as they have been, I leave behind me with wishes, that as here they had their birth and origin, they may here be buried in everlasting oblivion. My infant graces and little embryo virtues are, I trust, gone before me into heaven, and will, I hope, prove successful messengers to prepare my way. Thither, O Lord, let them mount up with unremitting constancy, while my soul in the meantime feasts herself with ecstatic reflections on that ravishing change when, from the nonsense and folly of an impertinent, vain, and wicked world, she shall be summoned to meet her kindred spirits, and admitted into the blissful society of angels and men made perfect; when, instead of sickness, gloominess, and sorrow (the melancholy retinue of sin and house of clay), glory and immortal youth shall be her attendants, and her habitation the palace of the King of Kings: this will be a life worth dying for indeed! thus to exist, tho' but in prospect, is at present joy, gladness, transport, ecstacy! fired with the view of this transcendent happiness and triumphant in hope, these noble privileges of a Christain, how is it possible to forbear crying out O Death, why art thou so long in coming? why tarry the wheels of thy chariot?

To that supreme Being, whose treasures and goodness are thus infinite and inexhaustible, be all honour and glory for ever. Amen.

ANTI-BETTING.

*A Clause from Lord Chesterfield's Will.**

"In case my said godson, Philip Stanhope, shall, at any time hereafter keep, or be concerned in keeping of, any racehorses, or pack of hounds, or reside one night

* Died 1773.

at Newmarket, that infamous seminary of iniquity and ill-manners, during the course of races there; or shall resort to the said races, or shall lose, in any one day, at any game or bet whatsoever, the sum of £500; then, in any of the cases aforesaid, it is my express Will that he, my said godson, shall forfeit and pay out of my estate the sum of £5,000 for the use of the Dean and Chapter of Westminster."

MARRIAGE PORTIONS FOR YOUNG WOMEN.

Wilton with Ditchampton, Wilts.

RICHARD SUMPTION, of the parish of St. Clement Danes, London, Esq., by his Will, dated 4th February, 1775, amongst other bequests to the town of Wilton, gave £1,000 Three Per Cent. Consols, on trust, to be paid by the trustees of the school at Wilton, or their steward, as marriage portions to such poor young women, natives of and resident in the town of Wilton, as the governors of the school, or the majority of them, should think deserving, not exceeding the sum of £10 to each, to be paid on or as soon after their marriages as might be.

FARTHING CHARITY.—PEACE AND GOOD-WILL PROMOTED.

Kidderminster, Worcestershire.

In an old book, containing extracts of Wills, &c., relating to charities in this town, it is stated that one WHITING gave ten farthing loaves, called Whiting's Alms, to ten poor folks, by the high bailiff, weekly, for ever; and in the first page of a book containing the accounts of Brecknell's Charity, is the following entry :—

"Tradition informs us that a maiden woman left to the inhabitants of Church Street, in Kidderminster, the sum of 40s., to be put out at interest, and that the person in whose hands the said sum was entrusted, should engage to provide as many farthing loaves as the interest would pay for, in order to give one to every child that was either born or lived in Church Street; and should also engage to invite to his house, upon Midsummer Eve, every male inhabitant of the said street, to see to the faithful distribution of the said loaves."

This sum, it is said, was lost many years ago, by being lent to a person inhabiting a house up an entry in Church Street, but that the original sum was again made up by some well-disposed people; and it was then agreed, that no person who did not inhabit a house to the front of the said street, should ever have the money, nor any person but such as the majority of the inhabitants assembled should approve of, and who should provide two sureties for the repayment with interest; and it was further stated, that it appeared to be the principal intention of the donor, that the male inhabitants of the said street should be assembled once a year, in order to maintain a friendly intercourse amongst them, and particularly to inquire if any differences subsisted between them, and if so, to use their friendly offices to reconcile and compose them; and that, accordingly, this friendly meeting on Midsummer Eve in every year, had subsisted beyond the memory of any man, to the time of making the entry, which is dated 23rd June, 1778.

John Brecknell, living in the Church Street, Kidderminster, by his Will, dated 4th of December, 1776, reciting that there had for time immemorial existed in

the Church Street a society for the promotion of friendly intercourse among the inhabitants of Church Street, bequeathed £150, in trust, to provide out of the interest thereof, and give to every child or unmarried person born in or an inhabitant of the Church Street, one twopenny plum-cake, upon the eve of every Midsummer Day; and, further, to provide pipes, and tobacco, and ale, &c., for the entertainment of the male inhabitants which should then assemble; and he directed that the remaining part of the interest arising from the above £150 should be given to such poor persons as the company then assembled, or the majority of them, should think the fittest objects; and he directed that no more than five shillings, nor less than two shillings, should be given to any one, and that preference should be always given to such poor persons as should be inhabitants of the said street, but never to be given to any one person who should be present at that meeting.

Trustees have from time to time been appointed, and the dividend being £10 8s., is disposed of on Midsummer Eve yearly, when a meeting takes place in the house of some person in Church Street who is willing to receive his neighbours. The house is open to all the inhabitants of the street. At this time the twopenny cakes are given away to all persons born or living in the street, the cost of which is from £3 to £4. Pipes, ale, and tobacco are also supplied, which generally cost between £1 and £2; and the remainder is given away to poor persons living in the Church Street, and the entries leading from it, in sums generally of two shillings to each person.

The sum of 40s. before mentioned is handed over every year to some inhabitant of the street, who pays two shillings at the time of the Midsummer Eve meeting

as the interest; and this forms part of the distribution, farthing loaves being always made for the purpose, and given away with the twopenny cakes.

A CHARITY FOR THE BENEFIT OF PRINTERS.

London.

WILLIAM BOWYER, Esquire, by his Will, dated 30th July, 1777, gave to the Company of Stationers, London, such a sum of money as would purchase £2,000 Three Per Cent. Reduced Annuities, upon trust, to pay the dividends equally, amongst three printers, compositors or pressmen, to be elected, from time to time, by the Master, Wardens, and Assistants of the said Company, and who at the time of such election should be 63 years old or upwards, for their respective lives, to be paid half yearly, hoping that such as should be most deserving would be preferred; and after reciting that he had, by his Will, given to his son the sum of £3,000 Four Per Cent. Consolidated Annuities, in case he married with the consent of his (the testator's) executors, he thereby gave and bequeathed the dividends and interest of that sum till such marriage should take place, to the said Company of Stationers, to be divided equally between six other printers, compositors or pressmen as aforesaid, in manner as aforesaid; and if his son should die unmarried, or married without such consent as aforesaid, then he gave and bequeathed the said capital sum of £3,000 to the said Company of Stationers, the dividends and yearly produce thereof to be divided, for ever, amongst six other such old printers, compositors or pressmen, for their respective lives, to be qualified, chosen, and paid, in manner as aforesaid.

The testator then proceeds in the following words :—

"It has long been to me matter of concern, that such numbers are put apprentices as compositors without any share of school learning, who ought to have the greatest. In hopes of remedying this, I give and bequeath to the said Company of Stationers, such a sum of money as will purchase £1,000 Three Per Cent. Reduced Bank Annuities, for the use of one journeyman compositor, such as shall hereafter be described; with this special trust, that the Master, Wardens, and Assistants, shall pay the dividends and produce thereof, half yearly, to such compositor. The said Master, Wardens, and Assistants of the said Company, shall nominate for this purpose a compositor who is a man of good life and conversation, who shall usually frequent some place of public worship every Sunday, unless prevented by sickness, and shall not have worked on a newspaper or magazine for four years at least before such nomination, nor shall ever afterwards whilst he holds this annuity, which may be for life, if he continues a journeyman.

"He shall be able to read and construe Latin, and at least to read Greek fluently, with accents; of which he shall bring a testimonial from the Rector of Saint Martin's, Ludgate, for the time being. I could wish that he shall have been brought up piously and virtuously, if it be possible at Merchant Taylors', or some other public school, from seven years of age till he is full seventeen, and then to serve seven years faithfully as a compositor, and work seven years more as a journeyman, as I would not have this annuity bestowed on any one under 31 years of age. If after he is chosen he should behave ill, let him be turned out, and another chosen in his stead. And whereas it may be many years before a compositor may be found that shall exactly answer the

above description, and it may at some times happen that such a one cannot be found, I would have the dividends in the mean time applied to such person as the Master, Wardens, and Assistants, shall think approaches nearest to what I have described."

And he gave to the Company, in case they should think proper to accept the trust, £250.

BEQUEST TO PAY MARRIAGE FEES.

Winkfield, Berks.

Mr. THOMAS HATCH, by Will, dated 3rd December, 1778, gave to the churchwardens of Winkfield £200 to be laid out in the public funds, the interest to be applied to the payment of the fees for such poor persons as are willing to marry, but cannot pay the expense.

After the payment of the marriage fees of such couples as claim it, the residue is distributed by the churchwardens in small sums of money and articles of clothing to such poor persons as they may think deserving.

A WIFE'S WEAKNESS.

A Mr. DARLEY left to his wife a shilling, "for picking my pocket of sixty guineas."

VITUPERATION.

A London bookseller, Mr. PARKER, left, in 1785, a legacy of £50 to "Elizabeth, whom, through my foolish fondness, I made my wife, without regard to family, fame, or fortune; and who, in return, has not spared, most unjustly, to accuse me of every crime regarding human nature, save highway-robbery."

FAMILY POMPOSITY.

Dacre, Cumberland.

JOHN TROUTBECK, by Will, dated 27th October, 1787, gave to the poor of Dacre, the place of his nativity, £200, the interest thereof to be distributed every Easter Sunday, on the family tombstone in Dacre churchyard, provided the day should be fine, by the hands and at the discretion of a Troutbeck of Blencowe, if there should be any living, those next in descent having prior right of distribution; and if none should be living that would distribute the same, then by a Troutbeck, as long as one could be found that would take the trouble of it; otherwise by the minister and churchwardens of the parish for the time being; that not less than five shillings should be given to any individual, and that none should be considered entitled to it that received alms, or any support from the parish.

CHARITY ILL-DIRECTED.

Stanton upon Wye, Herefordshire.

GEORGE JARVIS, Esq., gave, by Will, in 1790, £30,000, to be invested in Government Securities, in trust, to apply the yearly produce thereof in money, provisions, physic, or clothes, to the poor of this parish of Bredwardine and Litten.

NOT A SECURE PLACE.

LORD HAILES (Sir David Dalrymple), another Lord of Session, appointed in 1766, died in 1792, apparently without a Will. Great search was made, no testamentary paper could be discovered, the heir-at-law was

about to take possession of his estates, to the exclusion of his daughter and only child, and Miss Dalrymple prepared to retire from New Hailes, and from the mansion-house in New Street. Some of her domestics, however, were sent to lock up the house in New Street, and, in closing the window-shutters, there dropped out upon the floor, from behind a panel, Lord Hailes' Will, which was found to secure her in the possession of his estates.

BREAD AND MEAT CHARITY.

Godstone, Surrey.

Amongst other bequests by JAMES EVELYN, Esq., to this parish, is one described as the Bread and Meat Charity. By a codicil to his Will, dated 3rd July, 1793, he recommended that four stone of beef should be provided and made into broth, and distributed as theretofore during his lifetime, from the first Thursday in November to the last Thursday in April, both days inclusive; and that a round of beef, not weighing less than four stone two pounds, and not exceeding four stone four pounds, should be provided every Sunday in the year as theretofore during his lifetime; and that the schoolmistress should be allowed after the rate of 1d. per head for beer and 1d. per head for bread, for those who should partake of it, the number to be asked not to be less than twelve, nor to exceed fourteen; and the testator desired that Elizabeth Rivers, of Felbridge, spinster, might be a partaker thereof during her lifetime, and that 200 faggots should be provided yearly for the schoolmistress to dress the meat with, and that she should be allowed 6d. a-week from the first Thursday in November to the last Thursday in April, for her trouble in preparing the broth.

IN COMMEMORATION OF JOHN BUNYAN.*

Bedford.

SAMUEL WHITBREAD, Esq., by Will, dated the 13th July, 1795, gave to the trustees of the Old Meeting, out of respect to the memory of John Bunyan, and for the relief of the poor of the congregation, five hundred pounds, to be laid out by his executors in the Three Per Cent. Consols, and the dividends to be annually applied in giving bread to the poor in quartern loaves every Sabbath morning, from October to May.

After the death of Mr. Whitbread, the sum of £500, instead of being laid out in stock, was, at the request of his son, the late Samuel Whitbread, Esq., allowed to remain in his hands on the security of his bond, conditioned for the investment of £980 Three Per Cent. Consols, being so much stock as the £500 would then purchase.

A bond, subject to the same condition, was executed about 1819 by William Henry Whitbread, Esq., eldest son of the late Samuel Whitbread, in lieu of the former bond.

The interest payable on the bond amounts to £29 8s. per annum, which is received regularly by the trustees of the Old Meeting, and is laid out by them in the purchase of quartern loaves, which are distributed at the meeting-house every Sabbath day, from May to October, among such poor persons of the congregation as the trustees select.

DRESSING A GRAVE WITH FLOWERS.

Grateley, Hampshire.

WILLIAM BENSON EARLE, Esq., who died in 1796,

* Born 1628; died 1688.

gave three hundred guineas to the rector, churchwardens, and overseers of Grateley, in trust, to invest the same in their joint names, and expend half the interest thereof at Christmas, and the other half at Easter, in the purchase of the best ox-beef and cheese, together with potatoes or peas, or both, to be distributed in just proportions, at their discretion, among the poorest families in that parish, but nowhere else. And he requested that one guinea of the annual interest should be given yearly to the clerk of the parish, *so long as he should cleanse and repair with flowers in the different seasons, as had before been done, the bed over the remains of Dame Joanna Elton, in the churchyard of Grateley.*

CONSIDERATE—VERY.

Mr. SWAIN, of Southwark, gave "to John Abbot, and Mary his wife, 6d. each, to buy for each of them a halter, for fear the sheriffs should not be provided."

ONCE AGAIN.

Mr. DAVIS, of Clapham, left the sum of 5s. "to Mary Davis, daughter of Peter Delaport, which is sufficient to enable her to get drunk for the last time at my expense.'

STILL INDULGENT.

A member of a certain great industrial family, renowned for its eccentricities, remarked in his Will:—"To my only son, who never would follow my advice, and has treated me rudely in very many instances; instead of making him my executor and residuary legatee (as till this day he was), I give him £100,000."

REVOKING A LEGACY.

A gentleman directed his executors to purchase a copy of the picture representing a viper biting the hand of the man who had saved it, and to give that to a certain friend of his, in lieu of a legacy of £3,000, which he had left him by a former Will, now revoked and burned.

EARLY RISING.

In the Will of the late Mr. J. SARGEANT, of Leicester, who died a few years ago, is the following clause :—"As my nephews are fond of indulging themselves in bed in the morning, and as I wish them to prove to the satisfaction of my executors that they have got out of bed in the morning, and either employed themselves in business or taken exercise in the open air, from five to eight o'clock every morning from the 5th of April to the 10th of October, being three hours each day, and from seven to nine o'clock in the morning from the 10th of October to the 5th of April, being two hours every morning; this is to be done for some years, during the first seven years to the satisfaction of my executors, who may excuse them in case of illness, but the task must be made up when they are well, and if they will not do this, they shall not receive any share of my property. Temperance makes the faculties clear, and exercise makes them vigorous. It is temperance and exercise that can alone ensure the fittest state for mental or bodily exertion."

BREAD FOR THE POOR.

The Rev. Mr. PITT directed sixty penny loaves to be given to the poor of St. Botolph's, Bishopsgate, yearly,

on Whit Sunday, by eight o'clock in the morning, upon his tomb, in the burying-ground, in Old Bethlem.*

AN INSINUATION.

A Mr. S. CHURCH devised to his son Daniel, "only one shilling, and that is for him to hire a porter to carry away the next badge and frame he steals."

MAKING SURE OF IT.

A certain magnate of Plymouth decreed by his Will that his wife should cut off one of his toes or fingers to make sure he was dead, adding that he made the request so that "as she had been troubled with one old fool she will not think of marrying a second," though why her cutting off a toe from her deceased lord should have prevented her choosing a successor to him, does not clearly appear.

TO ENCOURAGE MATRIMONY AND HORSE-RACING.

Newmarket, All Saints.

By a deed-poll, dated 12th August 1801, executed in pursuance of a decree in Chancey, relative to the Will of John Perrram, dated 30th May, 1772, the trustees of a sum of £410 6s. 2d. Three Per Cent. Consols and £21 Bank Long Annuities, being the original sum given by the Will, together with such accumulations thereon which had accrued during the proceedings in Chancery, were declared; to hold them upon trust, six weeks at least before Easter, to cause notice to be given, as therein

* Part of the North London Railway now runs over this ground.

directed, that a marriage portion of £21 would be given to a parishioner of the said parish, who should, on Thursday in the Easter week, be married at the church to a woman belonging to it; neither party to be under twenty, nor to exceed twenty-five years of age, nor be worth £20; the trustees to attend in the vestry to receive claims, and pay the bequest to such couple as should be qualified to receive it. In case of two claims, the determination to be by ballot who should receive it. In case of no claimants, then the money, for that year only, to be paid by the trustees to the winner of the next town plate.

UNKINDNESS, IGNORANCE, AND INJUSTICE REPROVED.

Huntly, Gloucestershire.

SAMUEL HAWKINS, by Will, dated 8th November, 1804, gave £200, the interest thereof to be paid by trustees as follows:—

To the rector, vicar, or curate, £2 2s., provided one of them should preach a sermon, the text being the sixth chapter of Micah, in the parish church of Huntly, of a morning annually on New Year's day, for ever; and pay to the clerk of the said parish church (provided the hundredth Psalm of the old version be then sung) 10s. 6d.; and if any set of singers should be assembled in the said church on that day, to pay to them £1 1s. for singing, and to the sexton of the said parish 10s. 6d., provided such respective persons did respectively perform their duty, but not otherwise; £1 1s. to be laid out in sixpenny loaves, and given to the poor who should attend divine service on that day; and the remainder of such interest to be given to James Belson, and after his decease to any of his kindred, and failing therein for

want of such kindred, then to two poor housekeepers of Huntly, at the discretion of the trustees; such trustees to be the rector or vicar and the churchwardens of the parish for the time being.

BEEF AND BARLEY.

Nevern, Pembrokeshire.

WILLIAM ROGERS, by Will, dated June, 1806, gave to the minister and churchwardens of Nevern and their successors £800 Three Per Cent. Consols, to be transferred by his executors within six months after his decease; and it was his Will that the dividends should be laid out annually, one moiety thereof in good beef, the other moiety in good barley, the same to be distributed on every St. Thomas's Day in every year, by the minister and churchwardens, to and among the poor of the said parish of Nevern.

After the payment of £1 to a solicitor in London, and a small amount for a stamp and postage, the dividends (£24) are expended in the purchase of beef and barley, which is distributed by the churchwardens on 21st December to all the poor of the parish, in shares of between two and three gallons of barley and between two and three pounds of beef.

BRIBING THEM.

Mr. TUKE, of Wath, near Rotherham, who died in 1810, bequeathed one penny to every child that attended his funeral (there came from 600 to 700); 1s. to every poor woman in Wath; 10s. 6d. to the ringers to ring a peal of grand bobs, which was to strike off whilst they were putting him into his grave; to an old woman who

nad for eleven years tucked him up in bed, £1 1s. per annum; to his natural daughter, £4 4s. per annum; to his old and faithful servant, Joseph Pitt, £21 per annum; forty dozen penny loaves to be thrown down from the church leads on Christmas Day for ever. Two handsome brass chandeliers were also bequeathed to the church, and £20 for a new set of chimes.

BEQUEST TO COMMEMORATE THE VICTORY OFF TRAFALGAR, 1805.

Stroud, Gloucestershire.

In the year 1814, £100 Three Per Cent. Consols was given by Richard Aldridge, Esquire, to Messrs. Scudamore and Holbron, for the express purpose as follows:—To pay one guinea to the officiating minister of Stroud, in the county and diocese of Gloucester, for preaching a sermon commemorative of national mercies on the 21st day of October annually, being the day on which the victory was obtained by Lord Nelson off Trafalgar over the French fleet, in the year 1805. Also to pay to the clerk of the parish of Stroud 5s., to the sexton 2s. 6d., and to the organist 5s., for their respective attendance on such days, and not otherwise; moreover, to pay for a number of twopenny loaves, and to distribute the same among as many of the children of the charity or free schools held at Stroud Hill, White's Hill, and the Thrup, as do attend on the said 21st day of October, as far as the money in hand will allow of; and should there be any surplus, the same is to be given away in rewards to the children of the Sunday School in White's Hill, at the discretion of the officiating minister for the time being.

WIDOWS OF DROWNED MEN.

St. Mary, Dover.

THOMAS PATTENDEN, by Will, dated 27th February, 1817, and proved in the Prerogative Court, gave to the minister and churchwardens of the parish of St. Mary £850 Three Per Cent. Reduced, to be transferred into their names, free from legacy duty, upon trust out of the dividends to repair the head stones about his family grave in the churchyard of St. Mary, with the inscriptions, and fence round the same; and to apply the remainder every half year equally amongst six poor widows whose husbands had been drowned, always distributing and continuing it to those who should have the most lately lost their husbands by such misfortune; the said minister and churchwardens first satisfying themselves that the said widows were not possessed of £100 in property, over and above their household furniture and wearing apparel; but no widow to be excluded from the benefit of this charity by occasion of others becoming entitled to it, until she had received at the least the amount of one year's benefaction; and he desired that the said minister and churchwardens should, every half year, take to themselves out of the said dividends the sum of 5s. each, as a compensation for their trouble in attending to the repair and distribution before mentioned; and that this clause of his Will should be hung up in a conspicuous part of the vestry-room of St. Mary's church, to perpetuate the remembrance of his bequest.

THE CATECHISM.

Haslingfield, Cambridgeshire.

ROBERT BARBER, by Will, dated 21st June, 1818,

gave unto the minister of Haslingfield and the tenant of the farm, in which Mr Wallace then lived, £20 in trust, to be placed out at interest, upon good security, and the interest thereof to be by them given every year after his decease unto that child under the age of thirteen years, who should most perfectly repeat the Catechism, on Christmas Day.

RELIGIOUS TASK.

Farnsfield, Nottinghamshire.

SAMUEL HIGGS, by his Will, bearing date 11th May, 1820 (as appears from the church tablet), gave £50 to the vicar and churchwardens of this parish, and directed that the interest should be given every year on 21st December, in equal proportions, to ten poor men and women who could repeat the Lord's Prayer, the Creed, and the Ten Commandments, before the vicar or such other person as he should appoint to hear them.

MUSICAL REMEMBRANCE.

Westbury, Wilts.

ELIZABETH TOWNSEND, widow, by her Will, dated 11th June, 1820, gave unto the churchwardens and overseers of the parish of Westbury as much money as should be sufficient, when invested in the Stocks, to yield the yearly sum of £3 clear of all deductions, upon trust to pay the dividends thereof unto the vicar, organist, parish clerk, and choir of the parish church of Westbury, for the time being, upon special condition that the said choir should for ever thereafter, in the morning and afternoon service, at the parish church, on the Sunday preceding the 24th of June in each year, sing the anthem

composed by her late husband's grandfather, Roger Townsend, from the 150th Psalm, and also the 112th Psalm, for which the vicar was to have 4s., the organist 10s., the clerk 5s., and 4s. a-piece to the choir singers, viz., two counter, two tenor, three treble, and three bass singers, and in default of their singing, then to divide such £3 amongst the poor at Christmas.

The same person made a similar bequest to the choir of the parish church of Warminster, Wilts.

WIDOWS' CAPS.

Mr. E. CONCAUEN bound his wife in the following terms:—"That she do not, after my decease, offend artistic taste, or blazon the sacred feelings of her sweet and gentle nature, by the exhibition of a widow's cap."

CLAMOROUS TONGUE.

Mr. LEWIS EVAN MORGAN, an old Welsh gentleman, who died at Gwyllgyth, in Glamorganshire, in the ninety-eighth year of his age, "Willed" as follows:—I give to my old faithful servant, Ester Jones, the whole that I am possessed of, either in personal property, land, or otherwise. She is a tolerable good woman, but would be much better if she had not so clamorous a tongue. She has, however, one great virtue, which is a veil to all her foibles—strict honesty."

THAT WILL DO.

JEREMY BENTHAM,* in his latter years, desired that his preserved figure might be placed in a chair at the

* Born 1748; died 1832.

banquet-table of his friends and disciples when they met on any great occasions of philosophy and philanthropy. Many chemical preparations were submitted to him; and at last he said, "That will do." He died; and his wish was carefully carried out by his favourite disciple, the late Dr. Southwood Smith, to whom he bequeathed his body in his Will. Dressed in his usual clothes, wearing a grey broad-brimmed hat, and with his old hazel walking stick, called Dapple (after a favourite old horse), the farmer-like figure of the benevolent philosopher sat in a large arm-chair, with a smiling, fresh-coloured countenance, locked up in a mahogany case with a plate-glass front. This was his actual body, preserved by some scientific process. An Italian artist made a wax mask. The real face was underneath it.

The body of Bentham was some years ago removed to University College, and placed in an out-of-the-way corner, and "Old Bentham" was the subject of frequent jokes among the more thoughtless of the students

THE PRINCESS OLIVE'S WILL.

This is the last Will and Testament of me, OLIVE, PRINCESS OF CUMBERLAND, now residing at Number forty Speldhurst Street, Burton Crescent, in the County of Middlesex. In the first place, I do hereby direct that my Executors and Executrix hereinafter named do and shall, out of the first monies that may come to his, her, or their hands, pay all my just and bona fide debts, funeral and testamentary expenses; and in the second place, I do hereby give, devise, and bequeath unto my daughter Lavinia Janetta Horton Ryves, the wife of Anthony Thomas Ryves, Esquire, Doctor George Darling, of Number six Russell Square, in the County

of Middlesex, M.D., Richard Doane, of Number two New Inn Buildings, Barrister at Law, and John Primrose, of Number ten Grafton Street, Fitzroy Square, in the County of Middlesex, my friend and Solicitor (and who has acted with high honor and integrity towards me amidst all my misfortunes) their and each of their several and respective heirs, executors and administrators, all and singular the freehold, copyhold, leasehold, personal, and other property that I may so die possessed of, either in possession, reversion, remainder, or expectancy, or of whatever denomination or description, or wherever situate the same may be. And I do hereby order, Will, and direct that such my freehold, copyhold, leasehold, personal, and other property that I may so die possessed of, either in possession, reversion, remainder, or expectancy, shall be sold and disposed of as soon as conveniently may be after my decease, and either by public auction or private sale, for the most money and best price that can be obtained for the same, and as my Executors and Executrix hereinafter named, or any three of them, shall order and direct, and that immediately after such sale or sales, and after the payment of all my just debts, funeral and testamentary expenses, I do Will and direct that the sum of one hundred pounds be paid thereout to Sarah Nicholls; and the remaining monies and proceeds arising from such sale or sales I do Will, direct, give, devise, and bequeath unto my daughter the said Lavinia Janetta Horton Ryves, the said Doctor George Darling, the said Richard Doane, and the said John Primrose my Solicitor, in the following parts and proportions, (that is to say) one clear one-third part or proportion thereof to my said daughter Lavinia Janetta Horton Ryves, and the other two third parts or proportions thereof unto the said

Doctor George Darling, the said Richard Doane, and the said John Primrose, to be equally divided between them, share and share alike, their executors, administrators, and assigns, for ever, and to and for no other use, intent, and (*sic*) purpose whatsoever. And *I bequeath to all my cousins of the Royal House of Guelph the sum of one shilling to each, to enable them to purchase a prayer for to teach them repentance for their past cruelties and injuries to myself, their legitimate and lawful cousin.* And I further give, devise, and bequeath the sum of fifteen thousand pounds, and all interest accumulated thereon, given and bequeathed me by His late Majesty King George the Third, and which Will has been duly proved by me in the Prerogative Court of the Archbishop of Canterbury, to my Executrix and Executors hereinafter named, to be divided between them share and share alike, as tenants in common, and not as joint tenants. And I do hereby give, devise, and bequeath unto my said daughter and the said John Primrose, one of my said Executors, the Certificates of the Marriage of George Prince of Wales to his first Consort, the Princess Hannah, and also the Will of that injured and Illustrious Lady, dated in the year one thousand seven hundred and sixty-two, requesting the said John Primrose and my said daughter to lay the said papers before the Livery and Corporation of London in full assembly, and give them the preference of purchasing the same, such papers being of the utmost value, the produce to be obtained for them by such sale, or in any other way, to be equally divided between my said daughter, Lavinia Janetta Horton Ryves and the said John Primrose, share and share alike; and in regard to the other papers of my Royal Birth, Parents Marriage and Legitimacy, I do desire and request they may be recorded in one of the

Public Offices or elsewhere in this kingdom, as my said daughter and the said John Primrose may deem fit and expedient. And I do hereby nominate, constitute, and appoint the said Lavinia Janette Horton Ryves my said daughter, the said Doctor George Darling, the said Richard Doane, and the said John Primrose Executrix and Executors of this my last Will and Testament, revoking as I hereby do all former Will or Wills by me heretofore made. In witness whereof I, the said Olive Princess of Cumberland, have to this my last Will and Testament, contained in three sheets of paper, set my hand and seal, to wit my hand to the two first sheets thereof, and my hand and seal to this the third or last sheet, the fifth day of July one thousand eight hundred and thirty-four.—OLIVE PRINCESS OF CUMBERLAND (L.S.). Signed, sealed, published, and declared by the above-named Olive Princess of Cumberland as and for her last Will and Testament in the presence of us, who have hereunto subscribed our names as witnesses thereto in the presence of the said testatrix, and in the presence of each other, Gavin Milroy, Geo. Weston Barnes, Henry Tovey.

A DUTCHMAN'S WILL.

Mr. KLAËS, who was known among his acquaintance by the name of the King of Smokers, has just died near Rotterdam. According to the Belgian papers he had amassed a large fortune in the linen trade, and had erected near Rotterdam a mansion, one portion of which was devoted to the arrangements of a collection of pipes, according to their nationality and chronological order. A few days before his death he summoned his lawyer, and made his Will, in which he directed that all the

smokers of the country should be invited to his funeral, that each should be presented with 10lb. of tobacco and two Dutch pipes of the newest fashion, on which should be engraved the name, arms, and date of the decease of the testator. He requested all his relatives, friends, and funeral guests to be careful to keep their pipes alight during the funeral ceremonies, after which they should empty the ashes from their pipes on the coffin. The poor of the neighbourhood who attended to his last wishes were to receive annually, on the anniversary of his death, 10lb. of tobacco and a small cask of good beer. He desired that his oak coffin should be lined with the cedar of his old Havannah cigar boxes, and that a box of French caporal and a packet of old Dutch tobacco should be placed at the foot of his coffin. His favourite pipe was to be placed by his side, along with a box of matches, a flint and steel, and some tinder, as he said there was no knowing what might happen. A clever calculator has made out that Mr. Klaës had, during his eighty years of life, smoked more than four tons of tobacco, and had drunk about 500,000 quarts of beer.

TO PROVIDE AGAINST BEING BURIED ALIVE.

The Will of the late LORD LYTTON contained special directions as to the examination of his body, in order to provide against the possibility of his being buried whilst in a trance, which appeared to be an apprehension of his. The Will further provided that the funeral expenses should be limited to what was usual simply in the interment of a private gentleman; and that any epitaph which might be intended for his tomb should be written in the English language.

BURIED IN AN OLD CHEST.

The Rev. LUKE IMBER, of Christchurch, Hants, one of his Majesty's Justices of the Peace for that county, who, at the age of eighty-three, married a country girl of thirteen, desired in his Will that he might be buried in an old chest which he had for some time kept by him for that purpose, and that the bearers should have each of them a pair of tanned leather gloves and a new pair of shoes, which were given accordingly.

MY LAST ARRANGEMENTS.

Devonshire Lodge, New Finchley Road,

St. John's Wood, February 7th, 1845.

It is my last Will and desire that "Nash's Hall's" be given, in my name, to my dear William and Georgiana Elliot, in recognition of their brotherly and sisterly affection and kindness.

My "Knight's Shakspeare's," for a like reason, to dear Robert Elliot.

"Chaucer or Froissart," as he may prefer, to F. Reseigh Ward, Harvey, Phillips, and Hardman, to select a book a-piece for remembrance.

"Nimrod's Sporting" to Philip de Franck.

All else that I possess, I give and bequeath to my dear wife, to be used for her benefit and that of our dear children, whom God bless, guide and preserve.

With my farewell love and blessing

To all friends,

THOMAS HOOD.*

* Died May 3rd, 1845. and was buried at Kensal Green

MUSTACHES.

The will of Mr. HENRY BUDD, which came into force in 1862, declared against the wearing of mustaches by his sons, in the following terms :—"In case my son Edward shall wear mustaches, then the devise hereinbefore contained in favour of him, his appointees, heirs, and assigns of my said estate called Pepper Park, shall be void; and I devise the same estate to my son William, his appointees, heirs, and assigns. And in case my said son William shall wear mustaches, then the devise hereinbefore contained in favour of him, his appointees, heirs, and assigns of my said estate called Twickenham Park, shall be void; and I devise the said estate to my said son Edward, his appointees, heirs, and assigns."

A WILL LOST AND FOUND.

The testator, HENRY NORRIS, who carried on the business of a coal and timber merchant at Boxmore, in Hertfordshire, died on the 28th of June, 1865, possessed of realty of the value of £1,500. No Will could be found among his papers, and the plaintiff, his eldest son, took possession of the property as heir-at-law. In 1873, however, it was discovered that he had no title to the property in the character in which he claimed it, the ceremony of marriage gone through between his father and mother in 1840 having been invalid, but it was alleged that, on a further search among his father's papers, a Will was found, in which he was named universal legatee and devisee. The instrument having been propounded by him, the defendants, the heiresses-at-law, pleaded that it had not been executed, but it was stated that the defence on which they really relied was that the

document was a forgery. On the close of the cross-examination of Mrs. Norris, who was called to prove the circumstances under which the alleged Will was found, no proof of the due execution of the document having been adduced, the court pronounced against it.

ABSTRACT OF THE WILL OF H. F. CHORLEY,*

Dated 8th May, 1868.

Bequeaths to his friend Charles Dickens, of Gad's Hill Place, £50 for a ring, in memory of one greatly helped by him.

To Michael Costa† £50 for a ring.

To the Life-Boat Institution £600, upon condition that the boat which it will suffice to build shall be called the "John Rutter Chorley", and its name maintained. To Stephen Brake and Mary Brake, servants of the testator, whether in his service at his decease or not, all beds, linen, kitchen furniture, utensils, and common crockery.

All the residue of his estate, real and personal, testator devises and bequeaths to Benson Rathbone, of Oakwood, Aigburth, Liverpool: upon trust to pay his funeral and testamentary expenses and debts; to set apart or purchase, in his own name, a sufficient sum of Consols to produce £100 a-year, and to pay to or permit said Stephen and Mary Blake, during their joint lives, and the survivor during his or her life, to receive the dividends, in memory of faithful service faithfully

* Musical critic and miscellaneous writer. Born December 15th, 1808; died February 16th, 1872.

† Now Sir Michael Costa

rendered; and after the death of the survivor, to transfer or dispose of the Consols to the executors, &c., of the said Stephen Brake; to set apart or invest in Consols such a sum as will produce an annuity of £300 a-year, to be paid to the testator's brother, William Brownsword Chorley, for his life; to set spart or invest in Consols such a sum as will produce £200 a-year for Mary, the eldest daughter of said Charles Dickens, for her life.

Legacies and annuities to be free of duty. Appoints Benson Rathbone sole executor. Directs him to destroy all family pictures, miniatures, and memorials, rather than turn them adrift as rubbish, except such as he may desire to retain; and directs that his funeral shall be on the same scale, and conducted by the same persons (Messrs. Mares and Co.), as that of his deceased brother, John Rutter Chorley.

CHRONOMETERS, AND DOGS.

SIR JAMES SOUTH, the astronomer, by his Will, which was proved in 1868, gave a pocket-chronometer each to the Earl of Shaftesbury, the Earl of Rosse, and Mr. A. J. Stephens, the condition in each case being that the chronometer should be carried in the pantaloon pocket of the wearer, according to the habit of the testator. Sir James South also left £30 a year to one of his female servants during the life-time of a favourite toy terrier named Tiger; and this animal was produced in the Equity Court in 1872, when a question arose as to its existence. On behalf of the dog or its keeper, it was asked that a sum of £1,000 Consols should be set apart to meet the annuity, but the Vice-Chancellor

held that the rules of the court, which applied to human beings, did not extend to dogs, and said that the executor's personal undertaking for the rest of the dog's life would be sufficient.

MUSTACHES.

Mr. FLEMING, an upholsterer, of Pimlico, by his Will, proved in 1869, left £10 each to the men in his employ —those who did not wear mustaches; those who persisted in wearing them to have £5 only.

WIDOW'S CAP.

Mr. JAMES ROBBINS, in 1869, set his face and his Will in favour of his widow wearing widows' weeds. He ordered:—"In the event of my dear wife not complying with my request to wear a widow's cap after my decease, and in the event of her marrying again, then, and in both such cases, the annuity which shall be payable to her out of my estate shall be £20 per annum, and not £30."

ROMAN CATHOLIC.

The Hon. Mrs. ARAMINTA MONCK RIDLEY, whose Will was proved in 1869, declared:—"That if any or either of my said children, either in my lifetime or at any time after my decease, shall become or shall marry a Roman Catholic, or shall join or enter any Ritualistic brotherhood or sisterhood, then, and in any or either of the said cases, the several provisions, whether original, substitutive, or accruing, hereby made for the benefit of such child or children, shall cease and determine and become absolutely void."

A DOUBTFUL CODICIL.

Mr. ABRAHAM STORY, a solicitor in good practice at Durham, and who possessed a quarter share of a brewery at Chester-le-street, had amassed, at the date of his death, real and personal property to the amount of £250,000. He, however, had no nearer relatives than first cousins once removed. To a Miss Clarke, who numbered amongst these relatives, he bequeathed £50,000, with the residue of his real and personal estate. In 1870 Miss Clarke exhibited symptoms of declining health, and in consequence Mr. Story executed a codicil to his Will on the 5th of February, 1871, in which he named a Mr. Ward to take the legacy, in the event of Miss Clarke's decease. The Will and codicil were propounded; but the heir-at-law opposed the codicil on the ground that the testator could not have been of sound mind at the time of its execution. His plea, however, failed for want of evidence, and he was mulcted in costs.

A LAPSE IN A WILL.

HAMILTON *v.* DELLAS.—Before Vice-Chancellor Sir James Bacon.—The loss, vexation, and complexity so frequently occasioned by intestacy, was in a partial measure manifested by the lapse in the Will of the late LORD HOWDEN, and serves in good stead to show how guarded persons should be to see, not only that they leave a properly prepared and executed Will, but likewise that no lapse is left unsupplied. In the case of Lord Howden, although the lapse was only trifling, considering the vast wealth of his lordship, yet it was represented by a considerable amount. The case is a very curious one, as Lord Howden held a very high

status in this country, being a peer of the realm, and had taken the oath and his seat in the House of Lords; he was also a G.C.B., lieutenant-general in the army, and Deputy-Lieutenant for the County of York. Notwithstanding all these ties, in 1850 he sold his estate at Grimston Park, in Yorkshire, and *all* his real estate in England, and went to Spain as Minister Plenipotentiary, in which position he continued till 1857, when he went to France, and resided on an estate near Bayonne, which he acquired about that time, and where he built a château called "Casa Caradoc," in which he generally resided up to the date of his death. In 1863 he visited Scotland, and then wrote a letter declining to come to England, and expressing his intention of never doing so again; he likewise, in certain legal proceedings taken in this country, claimed to be domiciled in France, *sine animo revertendi*. Lord Howden had made separate Wills relating to his personal property in England and in France, and the confusion arose respecting one-fourth of that in England, the person to whom it had been bequeathed having died during his lordship's life-time. The question was to whom this undisposed of personalty should belong, as by English law the whole of it would pass to Lady Rose Meade, as his lordship's nearest relation and *sole* next-of-kin, while, according to French law, a moiety only would pass to Lady Rose Meade, who was his lordship's nearest relation on the father's side, and the other moiety amongst his lordship's nearest relations on the mother's side. The case therefore rested on the point, whether Lord Howden's domicile was English or French at the time of his death, and the Vice-Chancellor said that, in the absence of authority, he should be sorry at this time of day to decide that a peer could not take up his permanent

residence abroad. There was nothing to prevent any one, be he peer or peasant, from leaving the country to reside abroad. He then distinguished the cases of persons actually officers in the army, and the cases known of an Anglo-Indian domicile. On the facts, he said, it was clear that Lord Howden had acted so as to acquire a French domicile. There was only the question of the article in the Code Napoléon, which clearly only related to the acquisition of civil rights, and not the question of domicile at all. He therefore declared the domicile of Lord Howden to have been French.

THE WILL OF THE DUKE OF BRUNSWICK.

To-day, the 5th of March, 1871, Hôtel de la Métropole, Geneva.

This is our Will or Testament,—We, CHARLES FREDERIC AUGUSTE WILLIAM, by the Grace of God Duke Sovereign of Brunswick and of Luneburg, &c., being in good health of body and mind, declare—

1. That we revoke by the present all testaments or writings prior to this one. 2. We wish that after our death our executors here named shall cause our body to be examined by five of the most celebrated physicians and surgeons in order to make sure that we have not been poisoned, and to make an exact report in writing, signed by them, of the cause of our death. 3. We wish that our body be embalmed, and if better for its preservation, petrified, according to the printed method adjoined. We wish our funeral to be conducted with all the ceremony and splendour due to our rank of Sovereign Duke. 4. We wish our body to be deposed in a mausoleum above the ground, which shall be erected

performed, and the testator's intentions as to bequests, able only likewise to be imperfectly inserted for want of necessary time; the validity of the Will therefore had to be established at no less pains and expense than applying to the Probate and Divorce Court under the able presidency of Sir James Hannen.

The facts of the case are startling, but of no uncommon occurrence. Mr. Foley, attacked with pleurisy, rapidly succumbed to the disease, and two days only before his death his medical attendant, Dr. Andrews, seeing small hope of his recovery, prudently urged the settlement of his earthly affairs. Papers which the testator had drawn up and had marked with the words "terms of my Will" he desired to be fetched from his house in Osnaburgh Street. These, however, could not be laid hands on, and a day elapsed before a successful search was effected. His solicitor, moreover, was out of town, and a stranger had to be employed. Fortunate, however, it was that so able a stranger was found, and it was mainly owing to his care and professional skill that a Will in any shape was left by Mr. Foley. Notwithstanding the unusual foresight and care exercised by the two professional gentlemen Dr. Andrews and Mr. Le Riche, who were the instruments by means of which Mr. Foley's Will was produced at all, grievous differences of opinion as to the testator's due execution of the document arose. The mark which the expiring man made with his own hand was so indistinct that, although the Court, under the guidance of Sir James Hannen, pronounced that the mark might be read "J.H.F." yet it was seen necessary that the poor dying man should be tormented in his last moments to make an additional signature, the nurse directing the pen while the solicitor guided the hand. The validity of the attestation of the instrument by

the nurse and solicitor was opened up to question, as the parties differently interested, naturally differed in the view they took of the dying man's consciousness and concurrence in the act performed. The testator's brother, nephew, and niece differed in opinion from the other persons who were present on the occasion; and a Mr. Brock, one of the testator's assistants deputed by him to finish certain of his works, and to whom it appears to have been Mr. Foley's intention to have bequeathed £800 in consideration of such services, vainly endeavoured to substantiate the *in*validity of the Will. The evidence of the dying man's moral consciousness and concurrence in the execution of the deed, imperfect doubtless, was so well evidenced by Miss Jane Foley (the testator's sister), as likewise by his wife, that with all belief in the intention of the deceased to have left a legacy to his two nieces and the sum of £800 before mentioned to Mr. Brock for important services, these intended legatees were disappointed, and their disappointment is only attributable to the evils inevitably attendant on "a death-bed Will."

DOMESTIC PETS.

Mrs. ELIZABETH BALLS, late of Park Lodge, Streatham, whose Will was proved on the 5th of Nov., 1875, bequeathed to the Cancer Hospital £2,000 Consols; to the Institution for the Deaf and Dumb, Old Kent Road £1,000 Consols; to the Blind Schools, Southwark, a like sum; to the Idiots' Asylum, Earlswood, £500 Consols; and to Guy's and St. Thomas's Hospitals, the like sum each. She directed that her late husband's cob mare and greyhound should not be sold, but that the former should be kept in a comfortable, warm, loose

box, as she had been kept since her late master's death; that she should not be put to work either in or out of harness, and that her back should not be crossed by any member of her late husband's family, but that she should be ridden by a person of light weight, not above four days a week, and not more than one hour each day, at a walking pace. For the support of this mare Mrs. Balls left £65 per annum, and for the keep and care of the greyhound £5 per annum.

AN ECCENTRIC BEQUEST.

A wealthy tradesman, M. THOMAS HEVIANT, died a few months ago (1875) at the village of Croane-sur-Marne. In his Will he made a number of singular bequests, among which was the following, which was carried out on Sunday week at the annual *fête* of the village. He ordered that among the amusements should be instituted a race with pigs, the animals to be ridden either by men or boys. The sum of 2,000f. (£80) was set apart as the prize to the lucky rider of the winning pig. The prize was not to be handed over, however, except on the condition that the winner wore deep mourning for the deceased during two years after competition. The municipality accepted the eccentric bequest, and on Sunday week the first race was held, agreeably to the terms of the will.

BURIED IN CAMBRIC.

Lately, at Taunton, far advanced in years, Mrs. MARY DAVIS, an eccentric character. In her Will she ordered that the expenses of her funeral should not exceed £300,

but that she should be buried in cambric, and that her coffin should be made of mahogany.

ECCENTRICITY AND CHARITY.

A gentleman of French birth, named PIERRE HENRI BAUME, has just died at Douglas, Isle of Man, leaving a large sum for charitable purposes. He was born at Marseilles in 1797, and at an early age was sent to a military college at Naples, where he became private secretary to King Ferdinand. About the year 1825 he came to London. At one time he was a preacher holding peculiar views on theology, then became manager of a theatrical company, and subsequently got up a scheme for the establishment of model gardens. He took a lively interest in various charitable institutions, and expressed a strong desire to accumulate a great fortune, with the object of eventually endowing or establishing an institution, on principles which he had himself drawn up, for the education and benefit of youth of the poorer classes. By great perseverance and industry, and by subjecting himself almost to privation, he at last succeeded in amassing a considerable fortune, and bought land at Colney-hatch, together with a small estate called Chifont, on Dibdin-hill, in Buckinghamshire. Several obstacles arose as to the fulfilment of his educational project, and he was ultimately induced to abandon this idea. After living about a quarter of a century in London he went to Manchester and engaged vigorously in a movement to establish "public-houses without drink." He also instituted Sunday afternoon lectures to working men, which were carried on with varying success for several years. In 1857 he settled in the Isle of Man, purchased an estate there, and has ever

since resided in the island. At Douglas he fitted up an odd kind of residence, the entrance to which he made almost inaccessible, and admission to which could only be obtained by those whom he had initiated into a peculiar knock. In this little den he lived like a hermit, sleeping in a hammock slung from the roof, for the room was so crowded with dusty books that there was no space for a bedstead or even for a table on which to take his food. He stated that his object in living in this condition and depriving himself of all comforts was to enable him to leave as much money as possible for charitable and educational purposes. He resided in this miserable place for several years; but his health failing him, he was induced, about twelve months ago, to remove, and died at a tradesman's house in Duke street, Douglas, on Thursday morning. Public attention was directed to M. Baume's affairs in London four or five years ago, in consequence of proceedings taken by him to evict a number of squatters who had located themselves on his Colney-hatch property, which was popularly known as "The Frenchman's Farm." In 1832 M. Baume took out letters of naturalization, which enabled him to enjoy the rights and privileges of an Englishman, and to dispose of his property as he thought best. He has left the whole of his real and personal property, valued at £54,000, in trust for charitable purposes in the Isle of Man.—1875.

WELL BESTOWED.

The Will of Mrs. TERESA ANN CARMICHAEL, who died in London in 1875, the property being sworn under £30,000, after leaving several legacies, bequeaths to the Royal Institution for Daughters of Officers of the Army,

Lansdowne, Bath, and St. George's Hospital, Hyde Park-corner, £300 each; to the Institution for the Blind, Deaf, and Dumb, Walcot-parade, Bath, the Royal United Hospital, Bath, the Governesses' Benevolent Institution, Sackville-street, Piccadilly, the Cancer Hospital, Piccadilly and Brompton, the Society for the Relief of Poor Pious Clergymen, the National Hospital for Diseases of the Heart and Paralysis, King's College Hospital, and the Hospital for Sick Children, Great Ormond-street, £200 each; to the Home for Trained and Experienced Nurses, Bath, the General Hospital, Union-street, Bath, and the Dental Hospital, London, £100 each; to the Victoria-park, Bath, £50; to the vicar and churchwardens of the parish of Chepstow, £600 Three per Cent. Consols, upon trust, to divide the interest annually at Christmas amongst the twenty-four or other inmates of the almshouses adjoining Hocker-hill House; a further sum of £1,000 Three per Cent. Consols is also given to the said vicar and churchwardens, upon trust, to purchase with the dividends coals and blankets, and to distribute them yearly at Christmas, at their discretion, among the poor people of the said parish.

A LOST WILL.

The necessity that there should be some better fashion for the safe keeping of Wills, during the lifetime of testators, than at present exists, is, perhaps, more vividly portrayed in the case of the late LORD ST. LEONARDS than in any other on record. In this case we have the loss of the Will, not only, of one of the astutest of lawyers, the most orthodox of conveyancers, but of a man who had made it his chief pleasure and study

during the last four years of his life to provide for the disposition of his worldly wealth, when his Creator should summon away his spirit from earth, and return his mortal frame to the dust from which He had made it. Moreover, the testator is no less a person than the very ingenious conveyancer, Lord Chancellor of England, and author himself of that famous Handy-book, in which men are exhorted in the most convincing manner to make due and thorough disposition of their earthly possessions. Here, during the years he had been engaged in making his Will, the greatest care was evinced for the preservation of the precious document, as it was not only kept locked up in a box, but during his Lordship's illness the Honourable Miss Charlotte Sugden, his daughter, took charge of the box and retained it in her custody until her father should be able to leave his room, when it was replaced by her in its ordinary position, and where it remained until his last illness, when she again took charge of it, and in whose custody it continued until his Lordship's death in January, 1875. After the solemn ceremony of the funeral this well-cared-for box was opened, but, alas! the Will was not there. How this strange circumstance occurred no one has been able to furnish any information; but the loss gave rise to litigation of the most serious character in the Court of Probate. The triumph gained in that Court by Miss Sugden in establishing a Will, carrying out the wishes of her father, on the simple basis of her recollection of the contents of the lost document, is as wondrous an achievement as any one well could imagine, and testifies to the grave respect with which her evidence must have been regarded by the searching judgment and scrutinizing eye of the learned judge. Notwithstanding all this, the loss of

the Will has not escaped the attendance of great and grievous evils, unnecessary to be related.

The judge having in a most eloquent manner reviewed the case, as elucidated by the pleadings of the very learned counsel engaged on the trial, most admirably concluded his summing-up with the following remarks :—

"Now let me call attention to a passage in one of Lord St. Leonards' own works which has a bearing upon this subject, and it shows how the wisest of men may be mistaken, as I think, in the advice which they give to others. And I may say this case illustrates the false security in which Lord St. Leonards lived, and in which I dare say we all of us live. With the other members of his family, he lived in the belief that his Will was secure from the hands and eyes of either the curious or the dishonest. It was thought that the only means of access to it was by the only key which Lord St. Leonards carried about him; and that there was no means of access to the duplicate key, which would open the Will-box, and yet it turned out that there were no less than four keys in the house by which anybody might have opened the escritoire in which the duplicate key was kept, and so have obtained possession of it. Believing as I do that this Will has been lost, and not destroyed by the testator, and that the loss has arisen from its insecure custody, though that custody seemed to all concerned to be perfectly safe, it is well that it should be known and I particularly desire that it should be known to the public that the law has provided a means of obtaining as nearly a certainty as can be obtained in human affairs that a Will will be forthcoming at the death of the testator. It has been provided for by 20 and 21 Vict., c. 77, s. 91, that

Wills may be deposited at the Registry of this Court, sealed and signed, and that their proper contents can never be known to any one until the proper time arrives. They may, upon payment of a small fee, be deposited at the Registry of the Court, and there they will be kept in safe custody; and yet, notwithstanding this provision of the law, I regret to say that in 1872-73 there were only seven instances of Wills having been so deposited at the Registry; in 1873-74 there were nine; and in 1874-75 there have been seventeen instances of the kind. Now, Lord St. Leonards, observing upon this in his 'Handy-Book of Property Law,' says:—

> 'The Act which abolishes the old Ecclesiastical jurisdiction and establishes a Court of Probate (20 and 21 Vict. c., 77) provides not only for the custody of your Will after your death, but directs that convenient depositories shall be provided under the control of the Court for all such Wills of living persons as may be deposited therein for safe custody; and that all persons may deposit their Wills in such depository upon payment of such fees and under such regulations as the Judge of the Court shall by order direct. If you are likely from time to time to alter your Will, I should advise you not to place it in this depository. If I were a devisee of a living testator, I should like to hear that the Will was in the new depository. The expense and difficulty attending the gathering of the Will out of this custody would deter many men from capriciously altering their donations.'

"I think it is to be regetted that advice was given, for it is competent for any person to alter his Will as before, even though he should deposit it for safe custody in the Registry of the Court.

"The result is that I find as a fact that the Will of 1870 was duly executed and attested; that the several codicils also were duly executed and attested; that the Will was not revoked by the testator; and I further find that the contents of the Will were, with the exception I have mentioned, as set out in the declaration."

Lord St. Leonards died at his residence, Boyle

Farm, in Surrey, on the 29th January, 1874, aged 94. During his distinguished and prosperous career, which culminated in his appointment to the office of Lord High Chancellor of England, he purchased from time to time considerable amounts of real property, and at the date of his death was possessed of the Childerley Hall Estate, in Cambridgeshire (1,072 acres), producing an annual rental of £1,580; Sutton Scotney, in Hampshire (1200 acres), producing a rental of £1,000; Peasewood, in Berkshire (800 acres), producing a rental of £1,260 a year; Filgate Forest Lodge, in Sussex, yielding a rental of £283 a year; Boyle Farm, which contained little more than 50 acres, but which he had improved and furnished at great cost, with the intention of making it the family residence; a farm known as Lord St. Leonards' Farm, and three meadows at Thames Ditton, producing a rental of £405 a year; and, lastly, the Kingsdown Estate, in Kent (1,386 acres), the rental of which was estimated at £1,200 a year. In addition to the foregoing real estate, the deceased, who had given suitable fortunes to his six daughters, married during his lifetime, left personalty to the amount of £60,000. Lady St. Leonards died in 1861, and his eldest son was also dead, but had left issue, amongst others Edward Burtenshaw Sugden, the present Lord St. Leonards. The testator had, in the first, place most carefully distributed his vast property, and we would judge—not with undue partiality; but owing to changes of circumstances, and especially with regard to serious displeasure his Lordship had taken at certain conceived alliances of marriage by his grandson, the original Will was greatly qualified by numerous codicils. These changes were chiefly in favour of the deceased's son, the Hon. and Rev. Frank Sugden.

The plaintiffs in the case, tried in the Court of Probate, were :—The Hon. and Rev. Frank Sugden, and the Honourable Charlotte Sugden, as Executors; the defendants being, the present Lord St. Leonards, and other members of the family.

AMONGST THE PERSONS WHO DIED LEAVING FORTUNES OF A QUARTER OF A MILLION AND UPWARDS IN 1874-5, WERE THE FOLLOWING :—

Adderley, Henry, formerly of the island of New Providence, and late of Inverness Terrace £250,000

Allan, Mr. Bryce, late of Liverpool 250,000

Allfrey, Mr. Robert, late of Wakefield Park, Berkshire 400,000

Arbuthnot, John Alves, Esq., late of Cowarth Park, Windsor, Berkshire 400,000

Beale, Samuel, Esq., late of Winfield Grove 350,000

Blake, Mr. William John, late of Danesbury, near Welwyn, Herefordshire 140,000

Egmont, the Earl of, late of St. James's Place, London 350,000

Gagniere, Auguste, Esq,, late of Golden Square, London 400,000

Goff, Joseph, Esq., late of Hale House, Southampton £350,000

Hargraves, Mr. John, late of Silwood Park, Berks 600,000

Hodgson, John, Esq., late of Queen's Gate, and Scotton, near Richmond, Yorkshire 300,000

Jones, Roger Lyon, late of Prince's Park, Liverpool 350,000

Joynson, William, Esq., late of St. Mary Cray, Kent 350,000

Leaf, Mr. William, late of Park Hill, Streatham 300,000

Love, Joseph, Esq., late of Willington, and of Mount Beulah, Durham 1,000,000

Ormond, Mr. Peter, late of Halliwele Hall, and Wyersdale Park, Lancashire ... 700,000

Pomfret, Virgil, late of Tenterden, Kent, under 400,000

Storey, Abraham, late of Durham 250,000

Strutt, Anthony Radford, Esq., late of Makeney, Derbyshire 900,000

Tarn, Mr. William, late of Newington Causeway 500,000

Vane, Lady Sophia Katherine Des, widow of Sir Henry 250,000

Wormald, John, Esq., late of Highbury Lodge, Islington 250,000

STAMP DUTY ON LEGACIES.

The duty on legacies and successions from 1 per cent. to 10 per cent., according to the relationship, amounted in the year ended the 31st of March, 1875, to £3,412,521 10s. 11d. The property on which the duty was paid amounted to £144,379,923.

FINIS.

INDEX.

PAGE

A Beam and Bell 13

A Building for Corn and Wine 48

A Charity for the Benefit of Printers... 76

A Death-bed Will 105

A Doubtful Codicil 101

A Dutchman's Will 94

A Lapse in a Will... 101

A Light for Night Travellers 39

A Lion Sermon 32

A Lost Will 111

A Noble Gift 52

A Religious Task 43

A Rich Alderman... 19

A Task 67

A Wife's Weakness 78

A Will Lost and Found 97

A Word Left Out 105

An Asylum for Maiden Gentlewomen 59

An Eccentric Bequest 108

An Insinuation 84

PAGE

Abstract of the Will of H. F. Chorley, Esq. 98
Alice Lady Wyndsore's Will 11
Anti-betting 72
Antiquity of Wills 2
Attachment to a Family Name 54

Bartholomew Kingston, Esq. 14
Beef and Barley 86
Benevolence Encouraged 60
Bequest of Wheat... 61
Bequest of White Peas 20
Bequest to Commemorate the Victory off Trafalgar, 1805 87
Bequest to Pay Marriage Fees 78
Bluecoat Boys and Packets of Raisins 24
Bread and Meat Charity 80
Bread, Beer, Beef, and Broth 22
Bread for the Poor 83
Bribing them 86
Bull-baiting 39
Buried in an Old Chest 96
Buried in Cambric 108

Charitable Light 37
Charity for the Redemption of British Slaves 55
Charity Ill-directed 79
Charity Sermons, &c. 36
Christmas Festivities 61, 65

	PAGE
Chronometers, and Dogs	99
Clamorous Tongue	90
Considerate—very	82
Cow Charity	19
Cuttings of Fish	21
Domestic Pets	107
Domine, Quis Habitabit?	41
Donations of Wheat	25
Dressing a Grave with Flowers	81
Drinking	32
Dropping Sixpences on a Tombstone	26
Early Rising	83
Eccentricity and Charity	109
Edward Prince of Wales's Will	10
Encouragement for Maid-servants	38
Encouragement to Attend Divine Service	40
Encouragement to Learn the Lord's Prayer, &c.	54
Exhortation to Condemned Prisoners	50
Family Pomposity	79
Fancy for Colour	42, 44
Farthing Charity	73
Fish for the Poor in Lent	20
For Erecting a Bridge or Founding an Hospital	66
For Paupers	43

PAGE

Giving their Hearts Away 3

Glorifying God 70

Gratitude 36

Gratitude for being Preserved in Battle 68

Guy de Beauchamp's Will 6

Halfpenny Bread Charity 22

In Commemoration of John Bunyan 81

"I shall speak in Plain English" 46

Joan, Lady Cobham's Will 7

Joane, Lady Hungerford's Will 12

John Wilcocks's Will 18

Loyalty, &c. 33

Making Sure of It 84

Marriage Portions for Young Women 73

Milk Tribute 21

More Generous than Polite 53

Music 32

Musical Funeral 61

Musical Remembrances 89

Mustaches 97, 100

My Best Cart and Horses 14

My Last Arrangements 96

	PAGE
Names of some Persons leaving a Quarter of a Million and upwards in 1874-75	116
Not a Secure Place	79
Once Again	82
Ostentation	25
Poor Distressed Soldiers and Seamen	69
Poor Maimed Soldiers	26
Religious Task	89
Revoking a Legacy	83
Roman Catholic	100
Royal Wills	3
Seamen's Friend	45
Sermons of Thankfulness	40
Shakespere's Will	26
Sir Robert Launde's Will	7
Sir Thomas Bryan's Will	17
Sir Walter Manney's Will	9
Stamp Duty on Legacies	118
Still Indulgent	82
Stormy Days	41
Thankfulness	71
That will do	90
The Catechism	88
The Gratitude of a Member of Parliament	68
The Princess Olive's Will	91

PAGE

The Will of the Duke of Brunswick 103

The Will of Thomas Windsor, Esq. 16

Three Sermons 33

To Cut one off with a Shilling 1

To Encourage Matrimony and Horse-racing 84

To Induce People to Pray 13

To Keep People Awake 58

Tolerance 60

To Promote Brotherly Love, &c. 16

To Provide against being Buried Alive 95

To Toll the Bell 58

Traveller's Rest 24

Unkindness, Ignorance, and Injustice Reproved 85

Very Accommodating 16

Vituperation 78

Well Bestowed 110

Widows' Caps 90, 100

Widows of Drowned Men 88

William de Beauchamp's Will 4

William de Beauchamp, Earl of Warwick's Will 5

Wills in Rhyme 62, 63, 64

Wine 23

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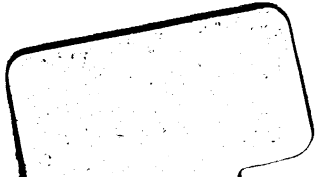
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